FEDERAL BUREAU OF INVESTIGATION
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Airtel

2-9-73

TO: SAC, Miami (46-New)

FROM: Acting Director, FBI (46-New)

1 - Mr. Pringle

ST-115REC 44 46-65269-1

ALLEGED REMOVAL OF U. S.
SURVEY MARKS, NAPLES, FLORIDA
ILLEGAL SALE AND CONVERSION OF
FEDERAL LANDS
GEORGE C. MATTHEWS - COMPLAINANT
FAG
CO: MIAMI

Enclosed for Miami is one Xerox copy of a letter addressed to FBIHQ from George C. Matthews, 738 105th Avenue, North, Naples, Florida. Also enclosed is one Xerox copy of each of the enclosures received with Matthews' letter.

Miami, immediately review the Miami Office indices for any background regarding Matthews. If no information is found which would prohibit the interview of Matthews, he should be immediately interviewed and his letter to the Bureau acknowledged. All information in his possession regarding his allegation should be obtained and thereafter, the opinion of the USA regarding possible prosecution should be obtained. It is noted that in his letter, Matthews states that USA Robert W. Rust has sanctioned and concealed illegal acts.

Miami is to handle this matter promptly furnishing the Bureau a letterhead memorandum containing the results of their interview and the opinion of the USA's Office. This should be furnished to the Bureau under cover of airtel.

Enclosures (3)

Mr. Felt
Mr. Baker
Mr. Callahan
Mr. Cleveland
Mr. Conrad
Mr. Gebhardt
Mr. Jenkins
Mr. Marshall
Mr. Miller, E.S.
Mr. Purvis
Mr. Soyars
Mr. Walters
Tele. Room
Mr. Kinley
Mr. Armstrong
Mr. Bowers
Mr. Herington
Ms. Herwig
Mr. Mintz
Mrs. Neenan

JDP:aat
(4)

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FEB - 9 1973
FBI

FEB 20 1973

MAIL ROOM TELETYPE UNIT

APR 9 1973

GEORGE C. MATTHEWS
NAPLES, FLORIDA 33940
597-5145

Reply to:
738 105th Ave. No.

February 4, 1973

Federal Bureau of Investigation
Washington, D.C.

Attention: Patrick C. Gray, Director

RE: Violation of U.S. Title 18
Removal of U.S. Survey Marks, Naples, Florida
Illegal Sale & Conversion of Federal Lands

Dear Director Gray:

Pursuant to the duties described by Title 28 U.S. Code 535, this is to request your investigation into the conversion of Federal Public Domain in Collier County, Florida by private parties and federal officers. The falsification and alteration of U.S. Cadastral Survey maps and information, the enlargement of U.S. Government lots and the criminal conversion of lands omitted in error from the original U.S. survey are self evident. Such lands converted have been subsequently sold in interstate commerc in violation of federal and state statutes, and real estate laws.

The areas involved include Collier County, Florida Township 48, 49 South, Range 25 East. United States officers knowingly participated with private parties. These acts constitute collusion and are illegal. It is my intention, if necessary, to apply to the nearest U.S. Magistrate for a Federal warrant for the arrest of every U.S. officer or employee, and those state and county officials and officers involved, private surveyors included.

U.S. Attorney Robert W. Rust has sanctioned and concealed illegal acts. The Environmental Protection Agency, Chief John White, of the Atlanta Regional office has concealed the use of false information and caused illegal issuance of after-the-fact permits by Gail G. Gren of the Jacksonville District office of the Corps of Engineers. The use of erroneous survey maps and information and the issuance illegally of new Army permits on such is self evident.

I especially charge the Chief Cadastral Surveyor, Lane J. Bouman, of the U.S. Bureau of Land Management, of wilful dereliction of duty, refusal and failure to protect Federal Domain after notification of criminal converstion being in progress in Collier County.

1 ENCLOSURE

-1-

It is requested that Mr. Bouman's conduct be examined for concealment of Federal violations, malfeasance and malconduct involved in his failure to perform his duties, in Collier County, Florida.

You are further advised of the violations of the U.S. Code concerning the illegal sale or disposition of Federal Public Domain and filing in the public records of surveys, maps and information purporting to be valid U.S. Survey information by the Collier County Board of County Commissioners, the Collier County Manager, and Director of Building permits.

Your attention is especially called to the issuance of construction permits on Federal & State land to private agents by the building department director of Collier County and the approval of dredge permits on Federal lands, illegally sold by the Collier Corporation and Collier Development Corporation among others.

The Collier Corporation has sold and issued warranty deeds for Federal Public lands outside the U.S. Survey closures. Frankly speaking and to the point, I raise questions as to what strange hold the Collier Development Corporation and others have on Federal officers that public domain can be criminally converted by developers and free from federal or state interference with their illegal activities.

I am by copy of this letter requesting various oversight committees of the U.S. Senate and Congress to use their powers and influence to act and to intervene in the failure of the Justice Department to stop the criminal conversion of Federal domain in Collier County and to cause to be suspended from office the U.S. Attorney and Chief of Engineers, Clark, and Environmental Protection Agency, Chief White, and to take whatever steps are necessary to remove the Chief Cadastral Surveyor from office along with those federal employees protecting and concealing criminal activities in southwest Florida.

Yours very truly,

George C. Matthews

George C. Matthews

GCM:imm
CC: The White House
U.S. Senate Interior Committee
U.S. HOUSE of Representatives
Chief Surveyor
U.S. Senate Public Works Committee

GEORGE C. MATTHEWS
738-105th Ave., North
Naples, Florida 33940

February 4, 1973

Environmental Protection Agency
1421 Peachtree Street N.E.
Atlanta, Georgia 30309

RE: Violations of Title 18, U.S.C.
Malfeasance, Maloonduct
Federal Domain
Collier County, Florida
PARK SHORES, VANDERBILT BEACH and
elsewhere

Gentlemen:

Please be advised and take notice that the undersigned will apply, as a citizen, to the appropriate United States Magistrate for the issuance of warrants for any and all parties in the EPA Southeastern Regional office having participated in the approval of certifications and in anyway involved in the developments of subject areas which you have been repeatedly notified to be Federal and State properties, and chose to ignore such advice.

You are also reminded that you have been repeatedly notified of the use of falsified United States Survey information by the same developers of Park Shores, Inc. and Vanderbilt Beach properties, and the illegal and unlawful approval by the Chief of Army Engineers.

By copy of this letter we are also requesting the assistance of those Committees of the United States Senate and House of Representatives of the sanction and participation of land fraud and criminal conversion of federal domain and sovereign state land in Florida, Collier County and other areas. by U. S. Employees, has to stop.

Sincerely

GCM:imm

George C. Matthews

cc: The White House
U.S. Senate Interior & Insular Affairs Committee
U.S. Senate Public Works Committee
House of Representatives
Lt. Gen. Frederick Clarke, Chief of Engineers
Secretary, Dept. of the Army
U.S. Attorney General

46-65269-1

ENCLOSURE

GEORGE C. MATTHEWS
738-105th Ave., North
Naples, Florida 33940

February 4, 1973

The Honorable Clifford Wenzel, Chairman
Board of County Commissioners
Collier County Complex
East Naples, Florida 33940

RE:Request for FBI Investigation
Illegal Disposition Federal Land
Falsified U.S. Survey Information
Collier County, Florida

Dear Sir:

Signature on documents, surveys and deeds in Collier County public records stand in mute evidence of the alteration and the use of false and erroneous survey information and instruments purporting to be evidence and representative of valid United States Cadastral Survey data and being knowingly used by Collier County, and private, agents for legal purposes in realty transactions.

The records filed, when compared with valid U.S. Survey maps, show relocation, removal and alterations of survey markers and section and boundary lines, including the enlargement of U.S. Government lots and their configuration. These acts are in violation of U.S. Criminal Laws, Title 18. These signed and accepted documents speak for themselves. The use, approval and acceptance for filing of such false information by county officials, and whereby county officials have participated in and made themselves accessories in the fraudulent conversion of Federal and Sovereign State lands has reached the point of no longer being a matter to tolerate.

For several years I have attempted to impress upon you the fact of erroneous survey information in use for unlawful conversion of public beaches to private owners. You apparently chose to believe those participating in the conversion. The Internal Improvement Trust Fund Director, Joel Kuperberg, has even finally admitted my being correct in stating that large tracts of land were omitted from the Federal Survey and still belonged to the U.S. The Bureau of Land Management confirms the omitted lands are the property of the United States Government, including the beaches of Collier County being Federal Property, that are outside the U.S. Survey lines and omitted from the original survey. Your local news media have failed to print Joel Kuperberg's admission of the omission as I claimed, but newspapers all over the state have printed such.

HQ-65269-3X

~~65210~~ -1

ENCLOSURE

GEORGE C. MATTHEWS
3-105th Ave., North
Naples, Florida 33940

lic Land

by denying public access to beaches.

The suit requests a mandatory injunction requiring all the government bodies listed in the complaint to review the procedures followed by the Quit Claim of lands at the end of Old SR 92 and another requiring the governmental boards and agencies to reclaim these lands for the people and the state of Florida.

eastern states land management director of the Interior Department, Matthews said:

"As trustee of lands for a public park and aquatic preserve, and as a taxpayer and citizen, application is hereby made and claim presented as herein set forth and described unsurveyed land, omitted public lands and submerged land omitted from the United States Cadastrel Survey."

of lands outside the coastal survey line.

Referring to a recent request he made for an FBI investigation of Florida's land practices, Matthews said, "I am well pleased with the attitude and results so far."

His request was for a full-scale probe of the Lee and Collier county commissions, the Army Corps of Engineers at Jacksonville as well as the public works and building and zoning departments of both Lee and Collier Counties.

I am requesting the FBI to investigate the Collier County officials and employees activities and partcipation in the use of false survey information and the acts approving such and issuing construction and other permits for illegal operations on Federal Public Domain, and being an accessory to conversion of public land by private parties and sale thereof, in interstate commerce. I am of the opinion they will find more than false survey information involved.

I am particularly requesting they inquire into the issuance of a building permit to a non-existent association, Vanderbilt Ramada Association. No record is found of this firm in Florida. Strong odors arise from the County officials, the Collier properties and the permits issued in Park Shore subdivision for condominiums approved by the County Manager. In fact, there are a number of strange odors arising over the county beaches that are not garbage.

You may rest assured there will be much more brought out, as we have reached the point, if you don't divest yourselves of the sources of your false information and guidance, we will obtain help from the U.S. to clean up the situation for us.

It is hereby suggested that the Commissioners seek an immediate method to terminate the illegal construction now underway in the coastal and beach areas, and Mr. Turner and Mr. Clemmer retire from county employment.

Attached is copy of letter to the Federal Bureau of Investigation concerning my compaint of your official activities. I suggest you do not entertain the thought we intend to allow the illegal taking of our lands and waters to continue.

Yours very truly

George C. Matthews

GCM:imm
encl.

GEORGE C. MATTHEWS
738-105th Ave., North
Naples, Florida 33940

ENCLOSURE

HENRY S. REUSS, WIS., CHAIRMAN
JOHN E. MOSS, CALIF.
DANTE B. FASCELL, FLA.
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JACK BROOKS, TEX.

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GILBERT GUDE, MD.
PAUL N. McCLOSKEY, JR., CALIF.
ALAN STEELMAN, TEX.
JOEL PRITCHARD, WASH.

225-6427

NINETY-THIRD CONGRESS

Congress of the United States

House of Representatives

CONSERVATION AND NATURAL RESOURCES SUBCOMMITTEE
OF THE
COMMITTEE ON GOVERNMENT OPERATIONS
RAYBURN HOUSE OFFICE BUILDING, ROOM B-349-C
WASHINGTON, D.C. 20515

May 11, 1973

Mr. George C. Matthews
738 - 105th Avenue North
Naples, Florida 33940

Dear Mr. Matthews:

Our Subcommittee will hold hearings in Miami, Florida on Friday, May 25, and Saturday, May 25, 1973, on environmental problems of the Florida area, including the coastal and other waters of the Gulf of Mexico and the Atlantic Ocean. The hearings will be held at the County Commission Chambers in the Dade County Court House, 73 West Flagler Street, Miami, Florida, beginning at 9:00 A.M. each day.

We invite you to testify at the hearing on May 26. We would appreciate your confirming to us before May 18 that you will be able to testify on that date.

Enclosed, for your information, is a copy of our Committee's report entitled "Increasing Protection For Our Waters, Wetlands, and Shorelines: The Corps of Engineers" (H. Rept. 92-1323, August 10, 1972). We will want to learn whether the Corps of Engineers is efficiently and economically carrying out the recommendations contained therein in regard to activities that take place in Florida.

We are also interested in learning whether the various Federal agencies are efficiently, effectively and vigorously enforcing our anti-pollution laws and regulations, preventing illegal dredge and fill activities, preserving and protecting valuable marshland, estuarine areas, Federal parks, recreation and refuge areas, and endangered species of wildlife.

You have alleged, according to several news articles, that a significant portion of lands and islands in Florida's Collier and Lee Counties may be a part of the public lands of the United States. Many of these lands are undeveloped, but are threatened with development. We are interested in your testifying concerning this allegation and advising what actions you have taken to bring these allegations to the attention of Federal officials, particularly the Interior Department and the Corps of Engineers.

You have also alleged violations of Corps of Engineers permits issued in connection with development of Marco Island. We are interested in your providing to us the details of these alleged violations.

Your views, comments, and recommendations on these and other matters would be welcome. Please include with your statement any reports, studies, or other documents which would be helpful to us.

If your detailed prepared statement for the record exceeds six (6) typed pages, letter size, double spaced, please prepare a summary not exceeding that length for your oral presentation. In accordance with the Committee's rules (copy enclosed), please provide to us in Washington, D.C., by May 21, 1972, at least 20 copies each of your summary and your prepared statement. In addition, we suggest that you bring to the hearing at least 50 more copies of each for use by the reporter, the Subcommittee, and the press.

We shall welcome your views.

Sincerely,

/Henry S. Reuss

HENRY S. REUSS
Chairman
Conservation and Natural Resources
Subcommittee

Enclosures

46-65269-1

Fair Enough
Generally fair today, becoming partly cloudy Sunday. Low near 50, high in low 70s. NE to E winds 10 to 15 m.p.h. Maps, data, Page 2-A.

St. Petersburg Times

Florida's Best Newspaper

Vol. 89—No. 117 78 PAGES ST. PETERSBURG, FLORIDA, SATURDAY, NOVEMBER 18, 1972 7 6 5 4 3 2 1

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GEORGE C. MATTHEWS
728-105th Ave., North
Naples, 33940

U.S. Title To Uplands Is Indicated

By JAMES RYAN
Of The Times Staff

The federal government's chief surveyor has indicated that at least some, possibly quite a bit, of Florida's waterfront uplands might still belong to the United States.

Lane J. Bouman of the Interior Department's Bureau of Land Management says that uplands not included within the boundaries of a survey made about 95 years ago "may be considered public land of the United States."

ALTHOUGH Bouman was speaking of lands along the Myakka River in Sarasota and Charlotte Counties, his opinion on the legal status of uplands outside of the survey seems to apply over a much broader area.

Florida's coastline was "meandered," or surveyed during the 1870s by federal surveyors and their results remain the only official survey ever made in many parts of the state.

Statehood in 1845 gave Florida all submerged lands up to the mean high tide line, but uplands were conveyed to the

(See LAND, 9-A)

Land

From 1-A

state on the basis of the survey, which was very erratic and often showed uplands as wetlands and vice versa.

Bouman's thoughts on the situation Friday, when much of this omitted land has been developed into what virtually is an unbroken line of cities and tourist resorts along both coasts, seems to uphold Naples conservationist George C. Matthews.

MATTHEWS for years has contended that the offshore islands along the South Suncoast are outside the survey boundaries and, therefore, are public lands.

On the basis of that contention, he has filed claim on 12 miles of islands in Collier and Lee counties and has gone to federal court in an effort to prove his claims are valid.

The islands Matthews has filed on as "trustee for the people" are relatively undeveloped, but still have been valued at $5-million per mile.

"Let us learn from past mistakes to not destroy our future. Wild Lands require little expense or upkeep and pay enormous dividends."

—Mr. and Mrs. Robert A. Faber

MATTHEWS also has raised legal questions about property ownership on Marco Island, where the Deltona Corp. is developing a vast residential community.

Matthews contends that about 2,600 acres in the heart of Marco Island were omitted by the original federal survey and thus are still in federal ownership although title has been given to present owners.

He has produced documents that appear to support his contentions, and Bouman's conclusions lend more weight.

BOUMAN'S opinion of the status of uplands outside the "traverse lines," as the survey boundaries are called, is contained in a letter to Fred Vidzes, director of development coordination for General Development Corp. of Miami.

General Development is developer of Port Charlotte north of Punta Gorda in Charlotte County.

Vidzes inquired into the status of the Myakka River land in late August and received a reply from Bouman, chief of the branch of cadastral survey in the Bureau of Land Management, on Sept. 7.

BOUMAN SAID, in part:

"The records available at this office tend to support the opinion that these land-forms (uplands) were omitted from the original survey and, if this is a fact, the land situated above the mean high tide line and between the traverse lines (on each side of the river) may be considered public land of the United States."

Bouman said that the only method of reaching a "factual conclusion" would be an on-the-ground investigation and survey by his office.

BECAUSE OF time and staff shortages, "it is difficult to predict when an investigation could be scheduled," he said.

General Development intends to request a survey of the Myakka River area, however, and in accordance with bureau requirements has notified adjacent land owners of its intentions.

Editorials

Page 18-A

Mr. and Mrs. Robert A. Faber of 824 5th Ave. N., St. Petersburg, own two lots in the area in question and are hopping mad about what they see is a potential land grab by General Development.

"What they want to do is dredge out the river and seawall it," Faber said Friday. "We want it to stay exactly like it is."

THE FABERS have written Bouman to say that they do not object to a survey, but want any public lands confirmed by it to "be left as is, a wildlife sanctuary protected by U.S. law against any developers or development."

"Let us learn from past mistakes to not destroy our future," the letter to Bouman says. "Wild lands require little expense or upkeep and pay enormous dividends."

GEORGE C. MATHEWS
. . . view supported.

Copies of their letter have been sent to U.S. Sens. Edward Gurney and Lawton Chiles and U.S. Reps. James A. Haley and C. W. Bill Young.

Neither Vidzes former chief of lands management for the Trustees of the Internal Improvement Fund, nor Matthews were available for comment Friday night.

Matthews charges Florida Gov. Askew and Lt. Gov. Adams are in cahoots with land developers, taking campaign contributions in return for not enforcing the law. Askew says it's not so.

mits. The charges were brought by Asst. U.S. Atty. Kenneth Oertel of Miami and were not contested.

"The state and Collier County both knew this was going on, but neither did the first thing about it," Matthews contends. "That's another reason I'm in federal court."

In the other case, Oertel has charged Park Shores, a 700-acre Naples waterfront development, with dredging and filling navigable waters, removing more than 1.65-million cubic yards of fill and constructing seawalls without federal permits. The suit asks that Park Shores president Ray Lutgert be ordered to restore the land to its original condition or pay damages of $6-million.

Asked for a comment on the federal suit, Lutgert came up with what has to be a classic appraisal of what Matthews and others claim has been happening in Florida for years. "We have followed the tried and true methods of land development in Florida," Lutgert was quoted as saying.

The judgment against Florida - Vanderbilt, a subsidiary of nationally-known Mayflower Investors of Chicago, and the possibilities that exist in Oertel's charges against Park Shores undoubtedly has caused some quaking among developers in Collier County, an area never noted for its strict adherence to regulations governing dredge and fill and other coastal alterations.

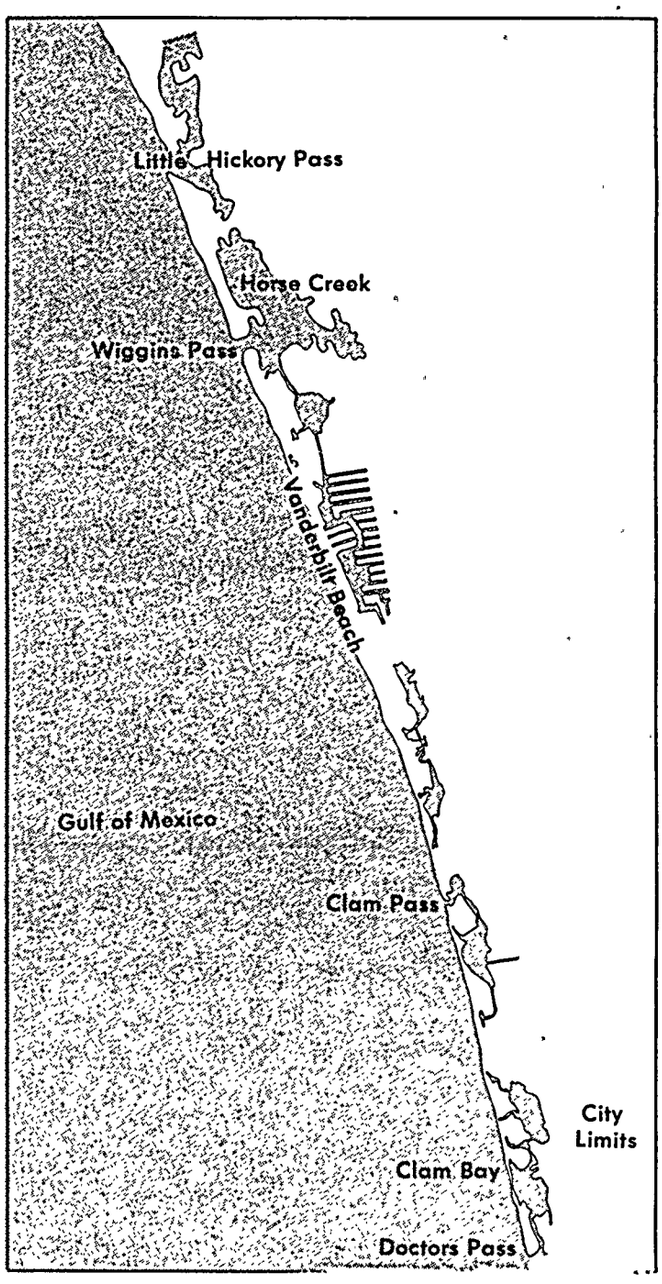
But the real spectre has to be Matthews' claim to the "uncharted" offshore lands, and if he is upheld, the ramifications could be felt all the way up to Tarpon Springs — northernmost limit of possible non - meandered lands in the Gulf of Mexico — and beyond.

"I'm not fooling with anything but Collier," says George. "I don't have enough money. But I know the same situation exists in Lee County and I'll bet a nickel that if you'll look, you'll find the same thing in Charlotte, Sarasota, Manatee and Pinellas. This includes 90 per cent of all the beaches on the southwest coast of Florida."

The key to Matthews' case is whether the islands are uplands. If they are above the mean high water mark — the inshore limit of the average high tide — then a general definition makes them uplands. And if they are uplands, George says, they should have been included in the survey.

Late last fall Matthews walked into the office of Collier County Tax Assessor Sam Colding and asked to be put on the tax rolls as "trustee for the people" for about six miles of beachfront property, including the Park Shores development.

Colding sought legal advice all the way to Atty. Gen. Robert Shevin, but got no reply. Faced with no alternative, the tax assessor complied with Matthews' request and charged him the minimum 98 cents tax on each of the several parcels involved. Park Shores president Ray Lutgert promptly sued Colding, claiming that his (Lutgert's) riparian rights were being endangered by Matthews' claim.



Matthews is, if anything, jubilant over Lutgert's suit and an initial ruling in favor of Lutgert. He says that if the ruling stands, it will prove, "There ain't a clear title in Collier County."

"I've got 'em now," he chortles.

The jurist, incidentally, is Circuit Judge Harold S. Smith, who earlier had been sued by Matthews for his alleged involvment in an illegal dredge-fill incident.

Matthews says he sympathizes with those who have bought lots on the disputed land, "But they've been dealing with crooks and the only way to stop it is to flush them out into the open."

With that, George went out and laid claim to another six miles of what he calls "wild land."

Matthews, who can produce voluminous photocopies of documents that seem to support what he says, wants to create a vast "public park" with his holdings if his claims are upheld by the courts. "It will be operated not for profit by an appointed board of trustees and there will be an ironclad stipulation that it can't ever be taken over by any government or private firm. A government can cooperate in the park if it wants to, but there's no way it'll ever get control."

George Matthews is an eccentric, no question about it, and it is interesting to note that most of the public rebuttal to his contentions has been directed not to the contentions, but to Matthews himself. He has been put down as a "nothing" and a "nobody," as well as "a nut."

The absence of response to the various charges he has brought against literally dozens of public officials and development interests is curious. Can it mean there is no adequate response? Or does it mean that everyone is waiting to say his piece under oath before a federal judge in Miami?

Either way, it should be very interesting. - ■

James Ryan is The Times' environment writer.

3

Ch 47

point at which the same intersects the Des Moines river, thence by the middle of the channel of that river to the place of beginning.

Iowa to have concurrent jurisdiction on the Mississippi and other rivers.

Sec. 3. *And be it further enacted*, That the said State of Iowa shall have concurrent jurisdiction on the river Mississippi, and every other river bordering on the said State of Iowa, so far as the said rivers shall form a common boundary to said State, and any other State or States now or hereafter to be formed or bounded by the same: Such rivers to be common to both: And that the said river Mississippi, and the navigable waters leading into the same, shall be common highways, and forever free as well to the inhabitants of said State, as to all other citizens of the United States, without any tax, duty, impost, or toll therefor, imposed by the said State of Iowa.

Assent of people of Iowa to this act necessary.

Sec. 4. *And be it further enacted*, That it is made and declared to be a fundamental condition of the admission of said State of Iowa into the Union, that so much of this act as relates to the said State of Iowa shall be assented to by a majority of the qualified electors at their township elections, in the manner and at the time prescribed in the sixth section of the thirteenth article of the constitution adopted at Iowa city the first day of November, anno Domini eighteen hundred and forty-four, or by the legislature of said State. And as soon as such assent shall be given, the President of the United States shall announce the same by proclamation; and therefrom and without further proceedings on the part of Congress the admission of the said State of Iowa into the Union, on an equal footing in all respects whatever with the original States, shall be considered as complete.

Boundaries of Florida.

Sec. 5. *And be it further enacted*, That said State of Florida shall embrace the territories of East and West Florida, which by the treaty of amity, settlement and limits between the United States and Spain, on the twenty-second day of February, eighteen hundred and nineteen, were ceded to the United States.

Iowa and Florida each to have one representative in Congress.

Sec. 6. *And be it further enacted*, That until the next census and apportionment shall be made, each of said States of Iowa and Florida shall be entitled to one representative in the House of Representatives of the United States.

Iowa and Florida not to interfere with, or tax the public lands.

Sec. 7. *And be it further enacted*, That said States of Iowa and Florida are admitted into the Union on the express condition that they shall never interfere with the primary disposal of the public lands lying within them, nor levy any tax on the same whilst remaining the property of the United States: *Provided*, That the ordinance of the convention that formed the constitution of Iowa, and which is appended to the said constitution, shall not be deemed or taken to have any effect or validity, or to be recognised as in any manner obligatory upon the Government of the United States.

Ordinance of the convention of Iowa not obligatory on U.S.

Approved, March 3, 1845.

State Cannot issue Permit on Unconveyed U.S. Lands

1856.

Chapter 791.—[Fo. 17.]

AN ACT to benefit Commerce.

Preamble.

Whereas, It is for the benefit of Commerce that wharves be built and Warehouses erected for facilitating the landing and storage of goods; and whereas, the State being the proprietor of all submerged lands and water privileges, within its boundaries, which prevents the riparian owners from improving their water-lots: Therefore,

Right of State to submerged lands granted to Riparian proprietors.

Section 1. *Be it enacted by the Senate and House of Representatives of the State of Florida in General Assembly convened*, That the State of Florida for the considerations above mentioned, divest themselves of all right, title and interest to all lands covered by water, lying in front of any tract of land owned by a citizen of the United States, or by the United States, for public purposes, lying upon any navigable stream, or Bay of the Sea, or Harbor, as far as to the edge of the channel, and hereby vest the full title to the same in and unto the riparian proprietors, giving them the full right and privilege to build wharves into streams or waters of the Bay or Harbor as far as may be necessary to effect the purposes described, and to fill up from the shore, bank or beach, as far as may be desired, not obstructing the channel, but leaving full space for the requirements of Commerce, and upon lands so filled in, to erect warehouses or other buildings, and also the right to prevent encroachments of any other person, upon all such submerged land in the direction of their lines continued to the channel, by bill in chancery, or at law, and to have and maintain action of trespass in any Court of competent jurisdiction in the State, for any interference with such property, also confirming to the riparian proprietors all improvements which may have heretofore been made upon submerged lands, for the purposes within mentioned.

May prevent encroachments and trespasses

Not to extend to Swamp Lands.

Sec. 2. *Be it further enacted*, That nothing in this act contained shall be so construed as to release the title of the State of Florida, or any of its grantees, to any of the swamp or overflowed lands within the limits of the same, but the grant herein contained shall be limited to those persons and body corporate owning lands actually bounded by, and extending to low water mark, on such navigable streams, Bays and Harbors.

[Passed the House of Representatives, December 26, 1856. Passed the Senate, December 27, 1856. Approved December 27, 1856.]

U.S. is given submerged lands in S. W. Florida 1856.

GEORGE C. MATTHEWS
738-105th Ave., North
Naples, Florida 33940

GEORGE C. MATTHEWS
738-105th Ave., North
Naples, Florida 33940

Has Florida Violated its AGREEMENT FOR ADMISSION TO UNION-1845.?

Yes-

George C Matthews 5/26/13

Each Above is Another Serious & GRAVE Question

Fort Myers News Press

Fri 27 Aug 65

Fort Myers Florida

For $1 Million

Teamsters Buy In Old Cove Motel On Mortgage Sale

By FRED WINTER

NAPLES — The Teamsters' Union Pension Fund made a $1 million bid—the only bid offered—at a foreclosure sale of the Naples Tahitian Cove Inn Thursday morning at Collier County Court House.

The single bid was offered by attorney George N. Jahn of Miami for the Teamsters Fund Trustees, holders of a mortgage amounting to more than $1,442,000 on the property, immediately after deputy clerk Inez Magill opened the sale at 11 a.m.

Also present for the pension fund trustees was Champ J. Maddigan of Shaker Heights, Cleveland, Ohio.

He said the executive committee of the trustees will meet in a few days to consider the future of the city's biggest hotel accommodation.

Probably, he said, the property will be widely advertised for sale.

If it is not sold, he said it is possible the pension fund will arrange for it to re-open properly.

Defendants in the foreclosure suit were Ed Schoenthaler and his wife, Agnes, who took over the property several years ago, and operated the big new structure last season.

After a moratorium agreement apparently failed, the foreclosure was filed here and T. James Ennis was appointed receiver.

Circuit Judge Lynn Gerald of Fort Myers signed the final summary decree of foreclosure of the mortgage Aug. 10, 1065.

Ennis showed in his final report that total assets of $1,930,357 were offset by total liabilities of $2,033,469.

The buildings, before depreciation, were valued at $1,339,827.

Jahn and Miss Magill figured state stamps on the sale transaction would amount to $3,000, Federal stamps $1,100.

And Jahn gave the clerk's office a check for $10 to cover the clerk's fee.

Since the purchase was made by the holders of the mortgages and plaintiffs no money was required.

Listed as plaintiffs for the Central States Southeast and Southwest Areas Pension Fund were trustees Albert D. Matheson, Fred W. Strecker Jr., C. J. Madigan, John A. Murphy, Charles J. Morse, Thomas J. Duffey, John Spickerman, Robert A. Hall, James R. Hoffa, Floyd C. Webb, Murray W. Miller, Gordon R. Conklin, Roy L. Williams, Odell Smith, William Presser and Frank E. Fitzsimmons.

The sale included land, structures and chattels.

The property included the 114-unit motel, 500-seat convention hall, six-store shopping center, docking space, swimming pool, and two restaurant-bars.

A group of about 20 people, some of whom thought separate items of the chattels would be offered for sale, stood silently by during the two minute public sale in the courthouse lobby.

GEORGE C. MATTHEWS
738-105th Ave., North
Naples, Florida 33940

46-65269-1 1/2

Ch 48 Ch 47

point at which the same intersects the Des Moines river, thence by the middle of the channel of that river to the place of beginning.

Iowa to have concurrent jurisdiction on the Mississippi and other rivers.

SEC. 3. *And be it further enacted*, That the said State of Iowa shall have concurrent jurisdiction on the river Mississippi, and every other river bordering on the said State of Iowa, so far as the said rivers shall form a common boundary to said State, and any other State or States now or hereafter to be formed or bounded by the same: Such rivers to be common to both: And that the said river Mississippi, and the navigable waters leading into the same, shall be common highways, and forever free as well to the inhabitants of said State, as to all other citizens of the United States, without any tax, duty, impost, or toll therefor, imposed by the said State of Iowa.

Assent of people of Iowa to this act necessary.

SEC. 4. *And be it further enacted*, That it is made and declared to be a fundamental condition of the admission of said State of Iowa into the Union, that so much of this act as relates to the said State of Iowa shall be assented to by a majority of the qualified electors at their township elections, in the manner and at the time prescribed in the sixth section of the thirteenth article of the constitution adopted at Iowa city the first day of November, anno Domini eighteen hundred and forty-four, or by the legislature of said State. And as soon as such assent shall be given, the President of the United States shall announce the same by proclamation; and therefrom and without further proceedings on the part of Congress the admission of the said State of Iowa into the Union, on an equal footing in all respects whatever with the original States, shall be considered as complete.

Boundaries of Florida.

SEC. 5. *And be it further enacted*, That said State of Florida shall embrace the territories of East and West Florida, which by the treaty of amity, settlement and limits between the United States and Spain, on the twenty-second day of February, eighteen hundred and nineteen, were ceded to the United States.

Iowa and Florida each to have one representative in Congress.

SEC. 6. *And be it further enacted*, That until the next census this apportionment shall be made, each of said States of Iowa and Florida shall be entitled to one representative in the House of Representatives of the United States.

Iowa and Florida not to interfere with, or tax the public lands.

Ordinance of the convention of Iowa not obligatory on U.S.

SEC. 7. *And be it further enacted*, That said States of Iowa and Florida are admitted into the Union on the express condition that they shall never interfere with the primary disposal of the public lands lying within them, nor levy any tax on the same whilst remaining the property of the United States: *Provided*, That the ordinance of the convention that formed the constitution of Iowa, and which is appended to the said constitution, shall not be deemed or taken to have any effect or validity, or to be recognised as in any manner obligatory upon the Government of the United States.

APPROVED, March 3, 1845.

State Cannot issue Permit on UnConveyed U.S. Lands

1856.

CHAPTER 791.—[No. 17.]

AN ACT to benefit Commerce.

Preamble.

WHEREAS, It is for the benefit of Commerce that wharves be built and Warehouses erected for facilitating the landing and storage of goods; and whereas, the State being the proprietor of all submerged lands and water privileges, within its boundaries, which prevents the riparian owners from improving their water-lots: Therefore,

Right of State to submerged lands granted to Riparian proprietors.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the State of Florida in General Assembly convened*, That the State of Florida for the considerations above mentioned, divest themselves of all right, title and interest to all lands covered by water, lying in front of any tract of land owned by a citizen of the United States, or by the United States, for public purposes, lying upon any navigable stream, or Bay of the Sea, or Harbor, as far as to the edge of the channel, and hereby vest the full title to the same in and unto the riparian proprietors, giving them the full right and privilege to build wharves into streams or waters of the Bay or Harbor as far as may be necessary to effect the purposes described, and to fill up from the shore, bank or beach, as far as may be desired, not obstructing the channel, but leaving full space for the requirements of Commerce, and upon lands so filled in, to erect warehouses or other buildings, and also the right to prevent encroachments of any other person, upon all such submerged land in the direction of their lines continued to the channel, by bill in chancery, or at law, and to have and maintain action of trespass in any Court of competent jurisdiction in the State, for any interference with such property, also confirming to the riparian proprietors all improvements which may have heretofore been made upon submerged lands, for the purposes within mentioned.

May prevent encroachments and trespasses

Not to extend to Swamp Lands.

SEC. 2. *Be it further enacted*, That nothing in this act contained shall be so construed as to release the title of the State of Florida, or any of its grantees, to any of the swamp or overflowed lands within the limits of the same, but the grant herein contained shall be limited to those persons and body corporate owning lands actually bounded by, and extending to low water mark, on such navigable streams, Bays and Harbors.

[Passed the House of Representatives, December 26, 1856. Passed the Senate, December 27, 1856. Approved December 27, 1856.]

U.S. is given submerged lands in S. W. Florida 1856.

GEORGE C. MATTHEWS
738-105th Ave., North
Naples, Florida 33940

Has Florida Violated its AGREEMENT For Admission To UNION - 1845.

Yes - George C Matthews 5/26/13

GEORGE C. MATTHEWS
738-105th Ave., North
Naples, Florida 33940

46-65209-~~12~~ 1

TIME

ENVIRONMENT

Crusader in the Swamps

The southwest coast of Florida, along 200 miles of shoreline from St. Petersburg to Naples, still consists largely of mangrove swamps—low-lying tangles infested with insects. But to developers, the swamps hold a promise of beachfront resorts as shiny and lucrative as those on the east coast, and a multimillion-dollar building boom has already started. Big companies like Gulf American Corp., GAC Corp. and Mackle Bros. are moving into the area, filling in the wetlands and building high-rise hotels and condominiums. The most unyielding obstacle to this juggernaut of change is a pensioner of modest means named George C. Matthews, who has successfully challenged corporations and officials up to and including President Nixon.

At 53, Matthews hardly gives the impression of a crusader. He sweats heavily, walks with a limp, talks in a backwoods drawl, and his shirt often spills out of his baggy pants. But he loves the swamps, which he explored as a child on fishing trips with his father. "All I want," he told TIME Correspondent Christopher Byron, "is for children in years to come to have the same pleasures I've had in these waters."

In addition to such soft sentiments, Matthews can cite hard ecological evidence against the building boom. The swamps not only serve as the habitat for wildlife—many of the commercial fish in the Gulf of Mexico spawn there—but the mangrove roots also stabilize the coastline, preventing erosion.

What makes Matthews so formidable is that he once went to law school (but never practiced) and has become a self-taught expert on land law. As he sees it, most of the swamps belong to either the people of Florida or the Federal Government. Matthews has carried his arguments to the courts with startling consistency and success. His strategy: "Sue the bums until they bleed."

JANICE ROSEN

MATTHEWS & HABITAT
"Sue the bums."

Many of his suits are based on various state and federal laws that forbid dredging and filling operations in tidal lands without a permit from the Army Corps of Engineers. Though tides wash over almost all of the mangrove swamps, developers often neglect to get such a permit; then Matthews sues, sometimes with strange results. In 1970, for instance, the Lutgert Construction Co. started a giant beachfront development involving the dredging and filling of 1.65 million cu. yds. of tidal lands in Naples. Matthews began writing protest letters in all directions and finally got the Corps of Engineers to demand that Lutgert stop its dredging; indeed the Interior Department argued that Lutgert must restore the land to its original state. After Lutgert refused, a federal court fined it $150,000. Lutgert paid but then requested a permit to finish the job. Surprisingly, the Engineers granted the permit; not surprisingly, Matthews sued for its revocation. Meantime, the company won a permit from the county board of commissioners to lay the foundations on its disputed land. So now Matthews has sued the commissioners for dereliction of duty.

Above the tidal area, too, development projects planned along the coast face trouble from Matthews, for he argues that most of this land is in the public domain. He bases his contentions on the official surveys of the 1870s, when Government surveyors assigned to chart the lands being transferred to state control often just drew the coastal boundaries by eye rather than trudging through the swamps. The result was that they often did not see high ground lying out to seaward from the mangroves and mistakenly designated many areas as tidal land. That error, Matthews has successfully argued, legally leaves these lands in the federal domain.

Trustee. To locate these areas, Matthews himself often slogs through the swamps. Then he files claim to the high land as a tax-liable "trustee for the people" (yearly tax: 99¢). When a developer tries to acquire the land for building sites, he may get a nasty surprise: Matthews was there first and has a provable legal interest in defending the land. Although he talks of "personally walking the entire coastline of West Florida," Matthews usually just compares the old maps with current project lines. When they do not coincide, he first investigates and then goes to court.

Although his antagonists denounce Matthews as a "lawsuit-happy crackpot," his lonely crusade has won him admirers too. The St. Petersburg *Times* spoke with a certain awe of "his mind-boggling legal assaults [that] name every public official below the rank of President of the U.S." Actually, Matthews last year challenged the President too. On hearing that the Corps of Engineers planned to improve security around Nixon's Biscayne Bay house by dredging and filling in 2,000 cu. yds. of sand in nearby tidal waters, he made one of his rare forays to the east coast and threatened to sue. Others joined in opposition, and the White House dropped the project.

Matthews is not averse to publicity for his cause, but he says he wants neither help nor thanks. He lives austerely with his wife in an apartment in Naples, where she types all his legal papers. One recent day, as he headed to court to file yet another suit, he said his only immediate worry was where he could find the money to pay some court costs. The amount: $117.

TIME
THE WEEKLY NEWSMAGAZINE
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THE FLORIDIAN

WHO IS GEORGE C. MATTHEWS?

No one seems to know for sure, and he won't say. But he's the guy who's suing just about every public official you can name, and challenging the property status of 20-million acres of land in Florida.

BY JAMES RYAN

His face is somehow reminiscent of a bulldog, and there's no question about the bulldog tenacity it reflects. A heavy man, he perspires easily. His Southern drawl comes at you with an ungrammatical, rapid-fire delivery, and without a hint of self doubt.

He deserves the title of "fastest litigant in southwest Florida" and defends it by saying the courts are the only place to stop the flimflam. There's no such thing as negotiation or compromise for him. He seems to take a perverse delight in harassing those who stand in his way, and he is convinced he cannot possibly be beaten in court, as long as it's a federal court. There's no such thing as justice in a state court, he says, and he has, in fact, brought suit against all of the judges in Florida's 20th Judicial Circuit.

Many view him with undisguised suspicion and regard his contentions with outright disbelief. But many of these same people admit there seems to be a thread of truth running through much of what he says.

That's George C. Matthews of North Naples in Collier County, the man who has charged just about everyone with a rank below President Nixon of just about everything short of murder, and has gone to federal court in an effort to prove what he says.

Among many other things, his lawsuits question the ownership of nearly all of the offshore islands in the state and his investigations create some doubt about the status of property titles on more than half of Florida's uplands. He says

Florida's top officeholders are aware of the situations he describes, but have kept quiet in return for sizeable campaign contributions from those who profit most from silence.

Matthews' charges seem almost like a fairy tale of fabrication and yet, there is that thread of truth.

In order to explain what he has done and to get a hint of why he has done it, one has to go back 100 years, when Florida as we know it today wasn't even a gleam in a carpetbagger's eye.

In 1872, several gentlemen in the employ of the United States government set about defining the limits of what had been federal lands in Florida, lands that had been conveyed to the state under an 1850 federal act.

While working in what now is coastal Collier County, the surveyors for reasons unknown seem to have decided not to get their feet wet. As a result, their survey apparently did not include a number of offshore islands.

These islands in Collier County are part of a chain of similar geographic features that line Florida's southwest coast up to Tarpon Springs. They bear names such as St. Petersburg Beach, Longboat Key, Sanibel Island and Naples Beach. More of these islands are found along almost the entire length of the state's Atlantic coast and still more are offshore in part of the Panhandle.

Despite its monstrous omissions, the federal survey of 1872-76 is the *only* official survey ever made of southern Florida.

Thus, it is not unreasonable to believe that if Washington did not know about certain property, that property could not have been conveyed to the State of Florida.

That, in a nutshell, is the basis for the most earth-shaking of Matthews' contentions. He says the Collier islands are "wild lands" still in federal ownership. He has stepped in to claim 12 miles of Collier waterfront as "trustee for the people." He supports his case convincingly with bulging files of records, documents and photographs.

To say that this has caused some consternation in Naples, Tallahassee and Washington and all points between is to deal in gross understatement.

At the time of the survey, southwest Florida was inhabited largely by mosquitoes, rattlesnakes and a few stray Seminoles. Whether the offshore islands were included in the survey didn't really make a great deal of difference to anyone then. Today, however, the value of the land claimed by Matthews has been conservatively estimated at $5-million per mile and it makes one heckuva lot of difference.

In 1881 the state was in serious financial trouble as the result of the War Between the States.

Less than two months after taking office in 1881, Gov. William Bloxham erased a $1-million debt by selling 4-million acres of land to Hamilton Disston, of the saw-making Philadelphia Disstons, for the magnificent sum of 25 cents per acre. Part of the land he took now is coastal Collier County.

Disston was given title to the lands, but it isn't clear

Continued on next page.

19 George C. Matthews reminds one of a bulldog, and if you get in his way, you're bound to get bitten — or taken to court. No one is sure exactly who Matthews is or where he came from, but his mind-boggling legal assaults name just about every official below the rank of President of the United States.

whether the aforementioned islands were included in the deal. It isn't known whether Disston, Bloxham or anyone else was then aware that the survey had been botched. Probably not.

In any case, Disston could not have bought lands west of the boundary of the survey, because technically none existed.

But it is quite obvious these "non-existent" lands are there today.

Disston sold half his holdings to an English syndicate within a few months of his purchase from the state. It isn't clear just who claimed the non-surveyed lands in Collier County, but whomever it was later sold them and several parcels have been sold several times since.

This opens the door to some explosive questions:

- If the federal government did not convey these offshore islands to Florida, and the state did not convey them to Disston, from whence came title to them?
- If there is no original title, can any present property owner hold a clear title?
- What is the status of the entire 20-million disputed acres — which make up more than half of the state's entire surface area — conveyed to Florida by the federal government?

The last question hinges on the federal Swamp and Overflowed Lands Act of 1850, which required Florida to survey those 20-million acres. This has never been done. Therefore, can any other provision of the act be valid?

Another troublesome facet of the 1850 law is that it required the state to use the money it received from the sale of the former federal lands to reclaim those lands — that is, to drain them and make them otherwise suitable for settlement. But Disson's $1-million was apparently used to wipe out a debt. Has the law ever been followed?

The imagination is staggered by the implications of these questions. Can it be that 100 years ground past without someone, somewhere in officialdom recognizing this situation and asking questions — loudly? Maybe they did, but no answers were forthcoming from state and federal officials queried recently. Ignorance was the most common plea.

It's quite obvious that the lands exist. But if they weren't surveyed, they couldn't have been sold. And so, says Matthews, the people who claim them now hold them illegally.

George C. Matthews has asked — loudly and long with no answers — yet — but plenty of action. Matthews arrived in Collier County a little more than two years ago and has been causing confusion, consternation and chaos ever since.

His claim to almost 12 miles of islands from Doctors Pass north to the Lee County line is based on his contention that the islands never were surveyed, still belong to the federal government and that any public or private sales of this land have been, at best, fraudulent and illegal.

Matthews, who writes like a lawyer, talks like a "Cracker" and thinks like a vengeance-seeking fox, is a self-styled mystery man who won't reveal the source of his income or how he comes by the volumes of data and documents he possesses.

"Are you investigating me or what I'm saying?" he asked an inquiring reporter. "You check out what I say. That's the story. Not me."

It might just as well be. An attempt to unearth Matthews' background reveals little more than he himself is willing to tell. He says he is a native of Duval County and a resume circulated in Naples shortly after he moved there in 1969 lists his birth date as Aug. 22, 1921. The resume says he is "semi-retired" and spent 20 years in the food, beverage and insurance businesses, much of it in the Miami area.

Matthews says his interest in Collier County began in the early 1920s when his father took him fishing and boating there.

He insists his recent actions are in an effort to preserve the bays, beaches and waterways "so that a boy can take his fishing pole and sit in the shade of a palm tree along that water."

He classifies himself as a conservationist, and has built a considerable following among those of similar leanings in Collier. He ran for a county commission seat in 1970 and lost by only 100 votes despite his withdrawal from the race on the eve of the election. "I just wanted to throw a scare into them. I didn't have time to be a commissioner anyway," he says of his withdrawal.

Matthews' appearance is deceiving. He looks about as much like the typical conservationist as the Dallas Cowboys' Lance Alworth looks like a professional football player. He is six-feet-two-inches from the top of his crew-cut head to the soles of his ample feet and admits to 225 pounds.

He devotes all of his time and energy to harassing, hobbling and hindering just about everyone who has even entertained a thought about development on Collier County waterways. And he does this with a zeal bordering on the fanatic, prompting at least one of his legal targets to publicly describe him as "a nut." There have been rumors of a competency hearing.

"They'll do anything they can to hush me up. No matter what they say or do about me, the facts will speak for themselves," Matthews says.

The "facts," presumably, will do their talking in U.S. District Court in Miami, where Matthews has brought suit against "them." In January he charged that Florida Gov. Reubin Askew and Lt. Gov. Tom Adams took campaign contributions from developers of submerged lands and agreed in return not to enforce laws the developers were breaking. Askew said the charge was "completely unfounded."

Matthews also has named the Cabinet, numerous other state and county officials, Secretary of the Army Jobert Froehlke, U.S. Atty. Robert Rust and various other federal officials as defendants in a series of lawsuits.

Charges range from fraud to conspiracy, from misfeasance and malfeasance to a claim that nothing the Collier County Commission has ever done is legal because the board is not legally constituted.

Matthews has filed these complaints himself. He claims to have a degree in law, in addition to one in business administration, but says he never has been admitted to the bar. He won't reveal where he obtained his degrees. His legal documents do, however, have a look and ring of authenticity and it is obvious from his conversation that he has had more than a casual exposure to the law, particularly that part dealing with submerged lands and navigable waters in Florida.

Of the several lawsuits brought by Matthews, all have been in federal court and all have alleged violations of his civil rights. This has been for two reasons.

"First of all, federal judges go out of their way to be helpful when a litigant acts as his own attorney and, secondly, they bend over backwards to be fair in a civil rights case," George says.

The reason behind such all-encompassing legal actions is, "I don't want to run the risk of invoking the double jeopardy clause. If I sue individually and lose, I might not be able to get to 'em later. This way, I can come back with individual charges."

Although none of Matthews' charges have come to trial, the clamor he has raised has resulted in criminal penalties against one development firm and its engineers and a federal suit against another developer.

Florida - Vanderbilt Development Corp., which is constructing a series of apartments near the beach in North Naples — within sight of Matthews' modest duplex home — and Tri-County Engineering of Naples were fined $5,000 each for dredging and filling without proper federal per-

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GEORGE C*MATTHEWS
R FOR THE PEOPLE
722-109TH AVE N
NAPLES FL 33940

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NAPLES FL 33940

ASSESSED VALUE 50

EXEMPT AMOUNT 0

AREA	SEC	SUBDIV. TWP	TIER RGE	BLOCK PARCEL	LOT	NON-EXEMPT AMOUNT
06	29	49	25	1.		50

TOTAL TAX	AMOUNT DUE IF PAID IN NOVEMBER	AMOUNT DUE IF PAID IN DECEMBER	AMOUNT DUE IF PAID IN JANUARY	AMOUNT DUE IF PAID IN FEBRUARY	TOTAL TAX DUE IF PAID IN MARCH
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GEORGE-C*MATTHEWS
TR FOR THE PEOPLE
722-109TH AVE N
NAPLES FL 33940

ASSESSED VALUE 50

EXEMPT AMOUNT 0

NON-EXEMPT AMOUNT 50

AREA	SUBDIV. SEC	TWP	TIER RGE	BLOCK PARCEL	LOT
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TOTAL TAX	AMOUNT DUE IF PAID IN NOVEMBER	AMOUNT DUE IF PAID IN DECEMBER	AMOUNT DUE IF PAID IN JANUARY	AMOUNT DUE IF PAID IN FEBRUARY	TOTAL TAX DUE IF PAID IN MARCH
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ASSESSED VALUE 50

EXEMPT AMOUNT 0

NON-EXEMPT AMOUNT 50

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06	20	49	25	1.	

TOTAL TAX	AMOUNT DUE IF PAID IN NOVEMBER	AMOUNT DUE IF PAID IN DECEMBER	AMOUNT DUE IF PAID IN JANUARY	AMOUNT DUE IF PAID IN FEBRUARY	TOTAL TAX DUE IF PAID IN MARCH
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Fort Myers (Fla.) News-Press Friday, May 11, 1973

Around Pine Island

U.S. Claiming Offshore Isles

sBy EDDIE PERTUIT

News-Press Staff Writer

The United States government is staking its claim on 418.33 acres of islands around Pine Island Sound and Matlacha Pass.

There are 28 islands claimed, ranging in size from just over an acre to 63 acres.

At a minimum value of $10,000 per acre, the lands are worth at least $4,183,300 on the open market.

The U.S. Bureau of Sports Fisheries and Wildlife asked for the survey that put the islands on the map.

Lane Bouman, chief cadastral surveyor for the 30 states in the eastern region, explained how they came to be.

When Florida was admitted to the Union in 1845 surveyors were contracted to locate all land masses, which then became federal property. The surveyors were paid by the mile. Titles were filed on the land they mapped.

"The land wasn't the value it is today," said Bouman. "They left pieces and chunks out. Since it was never disposed of, it remained part of the public domain. No title ever left the United States office."

His office, he said, doesn't "know if there are any claims" on the islands. That's why the office has given notice of the date of filing.

"We are saying that if you have any claims to make, now you better do it, because once the plat is officially filed it is too late," he said.

These paritcular islands were brought to the office's attention by the wildlife bureau. Bouman said there may be other lands around, but that his office is not now surveying nor has it completed surveys involving other lands in Southwest Florida.

Bob Barber, manager of the J. N. (Ding) Darling Wildlife Refuge on Sanibel Island, said he has investigated some other islands in Pine Island Sound on request from Washington, but none of those listed.

Bouman said he has plenty of survey requests, but that he has only five survey teams available "which is one sixth of a team per state per year."

Asked if other lands may be involved which have been subjects of local controversy, such as Lover's Key at the end of Fort Myers Beach, Bouman said he was familiar with the issue.

"It is a piece of land some people say doesn't even exist, others say is an island," he said. "I have the papers on it right here. I inherited it when I came here three years ago. I have studied it, and can come to no conclusion as to just what it is.

"It means scheduling that thing for a field investigation." When? "Here I am sitting by myself and I have 30 states . . ."

Public land laws prevent hiring outside surveying firms. But, he said, "My maps show Lover's Key as a sand spit, a mile out in the Gulf."

Lover's Key today is a two-island complex, one of the islands stretching from Big Carlos Pass to New Pass, south of Fort Myers Beach, the southern end of it designated as part of the county's Carl Johnson Park.

Artwork by CAROLYN BAUGHMAN

SHADED AREA SHOWS ISLANDS IN DISPUTE

Bouman said requests for surveys come into his office all the time. Most of them "are wild goose chases," the land turning out to be titled. But he couldn't say what or where on the Southwest Florida coast.

There is no way to know without a field investigation, for which there isn't money or time, he said.

As to the controversies raised by conservationists, "I've heard these rumblings coming out of Florida," he said.

The islands involved in the plat to be filed June 20 may have several names each but the names on file are as follows:

In Township 43 South Range 21 East, part of Mondongo Island, 18.17 acres.

In Township 44 South and the following Ranges:

Range 21 East, Benedict Key, 2.18 acres, Lower Bird Key 18.05 acres, Rat Key 12.36 acres, Coon Key 6.44 acres, Narrows Key 3.64 acres, Middle Island 11.03 acres, Bird Island 8.16 acres and Whoopee Island 2.49 acres.

Range 22 East, Part of McCardle Island 10.30 acres (therest is in Range 23 East), Kite Island 3.59 acres, Wood Stork Island 27.68 acres, Lumber Island 2,57 acres, Tern Key 4.69 acres, Gull Island 63.84 acres, Brown Pelican Island 28.97 acres, Nonpariel Island 13.47 acres, Frigate Island 18.07 acres, Grackle Island 1.39 acres, Bird Rookery Key 2.04 acres, Heron Island 9.09 acres, Ibis Island 16.81 acres, Lanier Kay 8.84 acres, Deer Key 6.72 acres, Bear Key 3.25 acres, Big Panther Key 31.96 acres and Anhinga Island 36.24 acres.

Range 23 East, Part of McCardle Island 28.49 acres, Egret Island 15.81 Acres and Limpkin Island 2.08 acres.

In the survey announcement, William J. Dorasavage, acting director of the Eastern States Office, noted that:

"The character of the islands and timber growth thereon attest to their existence on March 3, 1845, when Florida was admitted to the Union and at all times since. All of the lands surveyed were found to be well over 50 per cent upland in character within the interpretation of the Swampland Act of Sept. 28, 1850."

The islands "are included in the Pine Island Reservation for the protection of native birds established by Executive Order No. 939 dated Sept. 15, 1908.

"Except for valid existing rights, these lands will not be subject to application, petition, location, selection or to any other appropriation under any other public land law, including the mining and mineral leasing laws, until a further order is issued."

The plat of the islands will be filed of record in the Eastern States Office, United States Department of Interior, Bureau of Land Management, 7981 Eastern Ave., Silver Spring, Md. 20910 as of 10 a.m. June 20.

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(1)

SUMMARY OF PRESENTATION TO THE
CONSERVATION & NATURAL RESOURCES SUBCOMMITTE OF
THE COMMITTEE ON GOVERNMENT OPERATIONS
at the Public Hearing, Miami , Fla. May 26, 1973

Mr. Chairman, Honorable Congressman, I am George C. Matthews, a native born Floridian fully cognizant of our natural heritage being illegally destroyed.

It is a privilege to be invited to testify before this honorable body, I speak hopefully in behalf of the "little people" and "the man in the street" who cannot appear for various reasons at hearings of this level.

I wish to preface my presentation as follows: I hereby assume, in the exercise of free speech under Amendmant (1) of the United States Constitution, total responsibility for the statements and allegations herein contained. I can document these and can provide to this committee evidentiary material to support all allegations. Many are serious, but shown in public records in the United States District Court of Florida.

Mr. Chairman, like the TV series "Have Gun-Will Travel"-"I have the evidence, I have the facts, and I have the guts to use them."

The Committee has invited my comments, suggestions and information on Environmental matters and Natural Resources in South Florida. My first suggestion is that the United States Attorney in Miami and certain assistants be removed from office, all Corps of Engineers personnel in the Chief of Operations division in the Jacksonville and Clewiston office be transferred, and some removed from office, Also the former Chief of Enforcement, John White and former Chief of Federal Facilities branch, Arthur G. Linton, both of the Atlanta office of the Environmental Protection Agency, be removed from office.

I further suggest removal from office of the Justice Department lawyers, Martin Green, Chief Pollution Control Section and Attorney John P. Hill, both in Washington, D.C. Also that both be investigated in relations to federal violations in Southwest Florida, admitted to, but not prosecuted, against THE DELTONA CORPORATION (Marco Island), the sale of Federal Land by the Collier Development Corporation, Naples, Fla., and their relationship and activities with the MAY-FLOWER INVESTORS, INC., McCORMICK & CO., INC, Stock Brokers in Chicago, Illinois and the former FLORIDA VANDERBILT DEVELOPMENT CORPORATION, a fictitious nonexistant corporation that sold Federal Land investment shares, the FLORIDA REALTY CO., and TRI-COUNTY ENGINEERING, INC AND WILSON, MILLER, BARTON & SOLE, INC,, of Naples

Your attention is particularly directed to the fact that the ATTORNEY GENERAL OF FLORIDA and the STATE TREASURER AND INSURANCE COMMISSIONER, SEVERAL AIDES of the GOVERNOR OF FLORIDA, the LT. GOVERNOR, and the STAFF OF THE BOARD OF ENGINEERING EXAMINERS of the State of Florida are named hereinafter in Federal joint efforts.

You will find at every level and in every violation involvement of up to as many as nine (9) land surveyors and/or professional engineers in a position with final approval or disapproval authority, Federal and/or State. It is my understanding that all are members, or honorary members, of Engineering Society here and elsewhere with a code of ethics that no surveyor or engineer will criticize a predecessor's survey, etc. You will find at the initial outset of every violation complained of, there is a FALSIFIED, ALTERED and changed United States Cadastral Survey information, perpetuated and concealed up through the entire procedure of dredge and fill permits. This is my findings derived from four years research and investigation of documents.

It indicates and establishes a criminal conspiracy in full bloom and in operation by private firms, state offices, the Corps of Engineers, the Environmental Protection Agency, various legal firms, and the concealment of such by the Justice Department, whereby criminal conversion is accomplished by large interstate developers and land speculators.

Also we find a strange silence of government agencies when this is mentioned. On several occasions I have attempted to convey this Federal and State fraud to our Governor concerning the state employee participation. My efforts have been in vain. Attached is copy of notarized document showing such efforts.

NO OTHER INFERENCE CAN BE DRAWN, NO OTHER CONCLUSION CAN BE REACHED, AND NO OTHER DETERMINATION CAN BE MADE, except that a criminal conspiracy exists to develop islands omitted and uplands omitted from the U.S. Survey, and to conceal Federal Land Fraud, another to conceal use of FALSE U.S. Surveys and to protect perpetrators of Federal frauds, exists in the Department of Justice, the Miami U.S. Attorney Office, and the Atlanta Environmental Protection Agency's Administrator office. Documents show this to be a fact, The Bureau of Land Management admits these omissions but does nothing about them.

I wish to introduce a random selection of documents. It is beyond my financial ability to reproduce all of them for this committee. However you are welcome to inspect and copy them if you so desire. Prepare yourselves to be shocked. I wish to emphasize very strongly that the same conditions herein and otherwise set out, alleged and described, exist in LEE COUNTY, Florida and probably in other Gulf Coast counties. I have confined my investigation to Lee and Collier County. Many of the same persons and agencies except the U.S. Attorney offices are involved. Collier County is in the Southern District of Florida and Lee County is in the Northern District.

Federal officials protecting state officers, collaboration and joint activites make it impossible to avoid their inclusion as does documents involving Federal and State agencies. In every case use of false and altered U.S. Survey information, a private agent, Federal and State offices are involved. Each directly relates to Federal Statutes and offices, including the Office of the Attorney General of Florida, the Governor's office and the Board of Pollution Control, and the Cabint Officers of Florida as fiduciary officers of public lands.

I have for some time provided to the FBI data on Florida offices, private agents, and land surveyors and engineers involved with Federal agencies in violation of Federal Statutes. I point out especially that statutes require the FBI agent to present evidence to the U.S. Attorney for decisions, warrants, and prosecutions. I find it impossible to accept the fact the U.S. Attorney is allowed to pass judgement upon his own mal-feasance and misprision. I have several civil actions pending in the U.S. Court against Robert W. Rust, Miami U.S. Attorney. I have filed another of which copy is attached. In it I charged John N. Mitchell and Robert W. Rust, with providing confidential FBI Records to private developers for slander and libel activities to discredit and stop the exposure of their illegal acts and conspiracies. A photocopy was obtained by me and delivered to the FBI with the name of known possessors. I filed the introduced legal actions in the Federal Court in Miami. They are Civil 73-428-CIv-PF (2) and Civil 73-424-Civ-JE (3) against Federal officers, developers, chief (3) Surveyor of the Land Management Bureau and Chief of Engineers (Corps), private agents and state officers for conspiring to injure my financial investment, deny use of Federal land and to defraud the United States Government. They are self-explanatory.

I recommend to this committee, and the FBI, investigation of the United States Attorney Robert W.Rust, former Assistant Kenneth G. Oertel; Gail G. Gren, B. Goode, Chief of Engineers Frederick Clarke, the District Engineer of the Jacksonville Corp. of Engineers; Martin Green, Chief of Pollution Control Section and John P. Hill, Attorney Land & Natural Resources Division of the Justice Department; in connection with agreements to issue "after-the-fact" permits on Federal land, and dredge and fill permits on Federal lands using false survey information, known to be false. I introduce copy of letter to the FBI requesting an investigation for determination if bribery has occurred between the U.S. Attorney, Corps of Engineers, and others based upon confidential information furnished. (4)

I strongly urge this committee, and the FBI, to investigate the acts of the Collier County Commission, its County Manager, and County Engineering Dept. especially as respects the use of Federal Grant Funds, granted by HUD in the amount of $246,280.00 to buy (5) lands already owned by the Federal Government and submerged lands of Florida. This property is Delnor Park in the northern part of Collier County, contiguous to property claimed by Mayflower Realty,Inc.

This property was purchased with no survey, no clear title to Federal and submerged lands. We particularly call to your attention the same attorneys, same legal firms, and same officials are involved in the Florida Vanderbilt Corp., Park Shores Development and others.

One is law firm founded by Circuit Judge Harold S. Smith who participated in a sale of a quarter million dollar worth of submerged lands with a clouded title, purchased by the Nature Conservancy. It is indeed a strange situation with solicited public funds being used by the Nature Conservancy and Audubon Society to buy several thousand acres to preserve when the Federal Government and State already owned 85 % or more of it.

Marco Island is another great tragedy of fraud. Marco Island contains 2600 acres more Federal, or State land, than the U.S. Survey shows. Attached is copy of re-examination of the survey made in 1925-6 by the Department of the Interior verifying same. It was concealed for years by state officials until I obtained a copy in 1972 and exposed it. No payment has ever been made by developers for this land. (6)

On record is a private survey in 1964 rejected by the state, concealed by the Collier Development Corporation and the Mackle Brothers, Deltona Corporation. It states thereon Harmon Turner, now Collier County Manager, formerly employed by Collier Development Copr. did ALTER, RELOCATE AND CHANGE U.S. SURVEY MARKERS, as did a subsequent surveyor, Carl Johnson. I introduce into the record a Florida House of Representative Committee on Natural Resources Investigation Report and other data. It is true, correct and self-explanatory. An alleged purchase in 1926 is a nullity. No survey of the lands was ever made, a condition of the purchase. I introduce records to support this from public files. (7)

Development of Park Shores subdivision in Collier County, Naples, Florida is another great fraud and swindle. I recommend investigation by the Committe, the FBI and the Security Commission, the FCC and Postal Inspectors for violation of Federal Statutes within their jurisdiction. I will supply the evidence, the names and deeds involved, including evidence of bribery. I introduce a copy of a signed letter showing a planned conspiracy with a cabinet officer and the public record showing consummation of this conspiracy. (8) * Introduced is letter dated 2½ years later showing the results of the conspiracy. (9)

* Note Nimes

Park Shores, Inc., Florida Vanderbilt Development Corp., and Marco Island are discussed further in my attached statement.

As stated before, I have such a volume of public and private documents, Most of them bear signatures on letterheads, It is beyond my financial ability to reproduce and present them properly. They are open to the Committee and Federal Investigators at any time.

Mr. Chairman, thank you for this opportunity.

George C. Matthews

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Attachements will be delivered at hearing due to the inability to make copies in time to mail same.

46-65269-12

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STATEMENT PRESENTED TO THE
CONSERVATION & NATURAL RESOURCES SUBCOMMITTEE OF THE
COMMITTEE ON GOVERNMENT OPERATIONS
at the Public Hearing held in Miami, Fla., May 25, 26, 1973

Mr. Chairman, Honorable Congressman, I am George C. Matthews, a native born Floridian fully cognizant of our natural heritage being illegally destroyed.

It is a privilege to be invited to testify before this Honorable body. I speak hopefully in behalf of the "little people" and "the man in the street" who cannot appear for various reasons at hearings of this level.

I wish to preface my presentation as follows: I hereby assume, in the exercise of free speech under Amendment (1) of the Unites States Constitution, total responsibility for the statements and allegations herein contained. I can document these and can provide to this committee evidentiary material to support all allegations. Many are serious, but shown in public records in the United States District Court of Florida.

Our tragedy is not only the destruction of our environment taking place but also the unlawfulness, illegality and malfeasance that Federal and State records establish with it.

I have complained and furnished documented information to the FBI concerning a number of persons involved.

WATERGATE PALES IN COMPARISON TO Federal land and mineral and oil rights frauds in Southwest Florida. The oil may well exceed much of the land values.

You have asked my comments and suggestions, some of which have been previously stated herein. I repeat them and do publicly state: THE GREATEST THREAT TO THE EXISTING NATURAL RESOURCES, LANDS AND WATERS, OF THE SOUTHWEST FLORIDA COASTAL AREAS, IS THE LACK OF INTEGRITY IN THE FEDERAL AND STATE AGENCIES, AND THE LAND SURVEYING, ENGINEERING AND LEGAL PROFESSION. I will challenge any and all who wish to contradict this statement. Every land fraud found and/or in progress involves one or more of each class above concealing and participating in an illegal Federal and/or State Act, using a false and erroneous survey.

FEDERAL AGENCY EMPLOYEES AND OFFICERS: Each and every one involved in dredge and fill and permits of any kind or their approvals, surveys or otherwise, are covering up and concealing violations of private developers and their own acts. The United States Attorney and the District Engineer are affording protection to lawbreakers and their criminal activities. We may even find some of the surveyors have become a sort of "bagman" for government officers involved. Unfortunately, some of the information is best not revealed in this statement, but it has been discussed with the FBI and will be freely provided to them and to this committee if desired in closed session.

It now appears the Congress made a very serious unfortunate decision when the Dual Permit system of Interior and Army was not

adopted or made into law several years ago when the memoradum of understanding with Interior's Fish and Wildlife was adopted.

I have discussed with the FBI and provided documents and information on how licenses for Florida Surveyor's and Engineers have been available for the sum of $5,000.00 CASH. The mechanism for this method remains in existence, and subject to use or activation. Because of my total distrust based upon factual evidence and the integrity of State officials to confide in, I have refused to discuss it with such, but have discussed it with a high State law enforcement official.

It is entirely possible some of our yes voting officials may exercise a measure of control over some surveyors and engineers.

It is the considered opinion that the total FEDERAL LAND FRAUD will exceed Two Billion Dollars ($2,000,000,000.00) in Southwest Florida, premised upon todays real estate values.

In many cases there is sensitive information and names that must be omitted, but if this committee so desire such and will receive the information in closed hearing, I will gladly furnish such. This is intermingled with State offenses and employees of necessity and includes state officials and some of it is hearsay from responsible parties who you can subpoena to appear before you.

The only legal land survey for South Florida is that made by the United States in 1872-77. Chief Cadastral Surveyor of the Federal Bureau of Land Management, Lane J. Bouman, has officially stated: "They (the surveyors) left pieces and chunks out. Since it

was never disposed of, it remained part of the public domain. No title has ever left the United States." (see news article attached.) (10) This is exactly the contention I have made for years. No one has ever challenged it.

Our Constitution, Article IV, Section 3 (2), grants sole power to Congress to dispose of Federal lands. Federal Law (5 Stat. 742) prohibits local tax assessments. Premised upon false and erroneous private surveys and false descriptions, Lee and Collier County officials have concealed Federal land ownership, used cloudy titles, and placed these upon the tax rolls for friends and unidentified owners.

Since my efforts are limited to Lee and Collier Counties, it does not preclude the same condition existing elsewhere in Florida.

The same officials have issued construction permits and established bulkhead lines in navigable waters without prior Secretary of the Army authority, or Chief of Engineers approval, under Title 33, U.S.C. 401-403-407, and without Federal Land Patents issued. State public officials conceal and sanction these unlawful acts on lands having no deeds.

Attached hereto, dated February 25, 1970, is title opinion concerning omitted lands and islands from the Office of the Solicitor, Department of Interior, Washington, D. C. Mr. Joel Kuperberg, Executive Director of the Florida Internal Improvement Trust Fund, and his predecessor Mr. James W. Apthorp, who is now Chief Administrative Aide to the Governor of Florida, have refused to publish this information and have concealed its existence from the public. (11)

A copy of the REGISTERED-RETURN RECEIPT REQUESTED letter to Mr. Kuperberg and another to the TRUSTEES OF THE INTERNAL IMPROVEMENT FUND (land office) of Florida, is introduced and self-explanatory. The Directors and Trustees have consistently, through subterfuge and illegal means approved dredging and raising of Federal land elevations on islands and uplands omitted from the Federal Survey. They have also participated in sale of Federal lands. same (11)

The Committee is respectfully referred to United States Statutes of the Twenty-Eighth Congress, Sess. II, Statutes II, March 3, 1845, Chapter XLVIII (48) Sec. 7. It reads in part: "AND BE IT FURTHER ENACTED, that said State of Iowa and Florida are admitted into the Union on the express condition that they shall never interfere with the primary disposal of the public lands lying within them, nor levy any tax on the same whilst remaining the property of the United States, etc." (12) The statement is clear.

Federal agencies and officials of Florida, and Lee and Collier Counties ignore Federal statutes and have conspired in the disposal, sale and placing upon county tax rolls, Federal public domain in excess of two billion dollars as valued upon today's realty market, with proceeds that are properly United States funds, now in the hands of private agents and special interests. Furthermore, in support of this statute, Title 43, U.S.C. Public Lands, Chapter 1, gives exclusive jurisdiction to the Bureau of Land Management of the Department of the Interior. This Title has also been completely ignored by the Justice Department and Army officials who sanction and condone use of the false and erroneous survey maps.

I also refer the Committee to Florida Statutes LAWS OF FLORIDA (page 25, Chapter 791 (1856) approved December 27, 1856. A copy is (13) introduced into the record. This law unequivocally by legislative act divested the State of Florida of "all right, title and interest to all lands covered by water, lying in front of any tract of land owned by a citizen of the United States, or by the UNITED STATES, for public purposes, lying upon any navigable stream, or bay of the sea, or harbor, as far as to the edge of the channel, and hereby vest full title in the same in and unto the riparian proprietors, etc., etc.,"

Years of diligent research show no citizen ownerships in 1856, yet shows all waterfront lands in December 1856 belonged to the United States. Research fails to reveal any later patents from the United States conveying title of submerged lands to Florida or any other entity. Nowhere is found any assent of the Congress of the United States, or the Executive Branch, or Ruling of the Judicial Branch where title to these submerged lands ever returned to Florida, notwithstanding the provisions of the Submerged Lands Act of the Congress, or the attempts of Florida Statutes, LAWS OF FLORIDA, Chapter 8537 (142) confirming the 1856 Act. It is my considered opinion that ALL SUBMERGED LANDS IN SOUTH FLORIDA ARE OWNED BY THE UNITED STATES SINCE THE UNITED STATES NEVER RECONVEYED OR ASSENTED TO RETURN SUCH LANDS TO THE STATE OF FLORIDA. The Swamp and Overflowed lands did not convey title to tidelands or to the navigable waters of and tributary to the GULF OF MEXICO as the United States Courts have ruled. However, the lands are not the UPLANDS that I complain of, but are

involved because of riparian rights and contiguous location. I raise the serious question of WHY HAVE THE FEDERAL AGENCIES IGNORED THIS VITAL MATTER? Please keep in mind we had no survey prior to 1872-77.

Your invitation refers to Federal Agencies and my views, comments and recommendations are stated below:

1. The Office of United States Attorney, Miami, Florida, is concealing serious Federal crimes in Collier County by developers and officials. Introduced ~~is~~ are copies of letters requesting the FBI to investigate acts indicative of bribery, malfeasance and misprision, etc. (14) a, b, c, d

2. Regarding the Corps of Engineers, in Southwest Florida only two cases of illegal dredging have been prosecuted and then only after pressure by members of the United States Senate. The Corps of Engineers refuses to report Federal violations alleges the Office of the U.S. Attorney and vice-versa, and conceals violations.

Documentary information shows refusal to enforce Federal Statutes in Collier and Lee Counties. The Corps makes visible efforts to assist the development of Federal lands and submerged lands. This is documented and shown by facts. They continue to issue illegal "after-the-fact" permits over objections. The use of false mean high tide lines have been allowed, concealed and sanctioned by Corps of Engineers in some instances. Introduced is copy of the letter to the FBI requesting the inquiry into these activities and private affiliations. See #

3. Regarding the Bureau of Land Management: On September 16, 1971, by letter with survey maps, I applied for deed and notified the Bureau of omission of lands from the U. S. Cadastral Survey of 1872-77. BY HIS OWN ADMISSION, the Chief Cadastral Surveyor, by letters dated Sept. 24, 1971 and Oct. 15, 1971, confirmed and admitted omission of the lands in Sections 17, 20 and 29, Township 49S. Range 25 E, of Collier County, Florida sought for a public park. These omissions are throughout the entire coast of Southwest Florida. Beginning 9/16/71 I began to request official action by all Federal agencies to terminate illegal construction on lands that Federal surveys show to be Federal lands. I introduce a copy of the Department of Interior Geological Survey of 1958, Rev. 1965, showing omitted lands and upon which is overlaid the original U.S. Cadastral Survey. It is self-explanatory. GROSS NON-FEASANCE, DERELICTION OF DUTY, AND OTHER MATTERS are indicated of the Chief Cadastral Surveyor and the Director of Land Management Bureau. (15)

I have continued my efforts and made other applications to the Bureau for purchase of these omitted lands for a public park in the name of GEORGE C. MATTHEWS, TRUSTEE FOR THE PEOPLE. I have also placed certain lands upon the tax rolls and pay taxes on them. I made application to the county tax assessor to place other omitted lands on the rolls in my name. Since the PEOPLE are the SOVEREIGN and the Government, and my claim is only as TRUSTEE, not as an individual, I find no legal obstacles, except U.S. officials and agencies involved who continue to ignore this and issue dredge and

fill permits on Federal lands. Mr Bouman continues to refuse to survey and halt construction, and developers continue to build condominiums on Federal land.

4. Regarding the ENVIRONMENTAL PROTECTION AGENCY; Chief of Enforcement, Region IV, Atlanta, Georgia, Mr. John C. White, and Chief of Federal Facilities Branch, Arthur G. Linton, have concealed numerous illegal acts of water degradation by the Marco Island Development Corp. (Deltona Corp.) and developers of Park Shores, Inc., Mayflower Investors, Inc., and Mayflower Realty, Inc. (Florida Vanderbilt Development Corp). They have issued "after the fact" certification and approval for army dredge and fill permits whereby they concealed illegal acts by The Collier County Commission, the Chairman and members of the Florida Governor's Advisory Committee.

I have filed written requests with the Federal Bureau of Investigation to investigate their acts, including the Corps of Engineers, (Jacksonville, Fla.), Chief of Operations, Gail G. Gren and the Chief of Permits, B. Goode, for their participation in acceptance of false survey data on Federal lands, and other false information. Introduced is copy of letter. See (14)

5. Regarding the Department of Interior, Bureau of Sport Fisheries and Wildlife, Regional Director C. Edward Carlson and his entire staff, including Mr. J. Edward Burgess, Jr., Fishery Biologist, of the Lafayette, Louisiana office.

I salute them in tribute, respect, praise and admiration for their long uphill struggle, against overwhelming odds, corrupt political forces, and the arrogance and disregard they have been subjected to by the Corps of Engineers. The Bureau of Sport Fisheries and Wildlife are truly the most deserving organization of the U. S.

Government in the battle to halt destruction of our lands and waters.

6. Regarding the U.S. Department of Justice, EXCLUDING THE FBI the entire Land and Natural Resources Staff of Attorneys should be fired and replaced. The Justice Department is accused of being soft on criminals. The same applies to the crimes of the developers and speculators. Either no case is made or there is a slap on the wrist deal, or they give them an apple, send them away, say don't do it again and let them keep the land. Do bank robbers keep the money?

The FBI deserve high praise for their concern, and great respect for acts which will never be public knowledge, will probably be sabotaged by the U. S. Attorney and the U. S. Attorney General. THE MOST IMPORTANT NEED IN SOUTHWEST FLORIDA IS A SPECIAL UNITED STATES PROSECUTOR FREE FROM LOCAL ATTACHMENT AND POLITICAL TIES TO INVESTIGATE, AND PROSECUTE, SERIOUS FEDERAL VIOLATIONS THAT PROBABLY EXCEED FIFTY IN NUMBER, BEING CONCEALED AND THE PERSONS INVOLVED PROTECTED, BECAUSE OF INFLUENCE. THIS IS AN URGENT MATTER. TOMORROW WILL BE TOO LATE.

As a classic example of the many criminal frauds and securities violations in Southwest Florida are the three outlined below:

(a) The Florida Vanderbilt Development Corporation (Florida Realty Inc.) now the Mayflower Investors, Inc. and Vanderbilt Towers, Inc., all Ohio and Delaware Corporations; and TriCounty Engineering, Inc. (Vanderbilt Beach, Collier County, Florida).

(b) Park Shores, Inc., Raymond L. Lutgert, Inc., Developers

and Wilson, Miller, Barton & Sole, Inc., Professional Engineers (Naples, Florida), etc.

(c) The Deltona Corp. * (Marco Island Development Corp.) and their Mackle Bros. Division. Questions are raised as to their SEC filing.

All three of the above are selling Federal and/or State lands with no valid title, and insurance firms are issuing land title policies with the hazard of title on the same land excluded in small pring. There is no coverage for filled submerged land under these policies. A Specimen policy is introduced into the record.

Below is a complex swindle fraud in Land and Mineral rights. First I will outline the interstate operation of Florida Vanderbilt-Mayflower Investors (I refer to them as Florida Vanderbilt-Mayflower) and Florida Realty Co., an Ohio Corporation.

In 1969, as per copy of two newspaper front page spreads, this firm sold submerged land and Federal domain allegedly owned and purchased from the Florida Realty Co., to Vanderbilt Towers, Inc. (10) (15)

I recommend the investigation by this committee and the FBI of the Florida Vanderbilt Development Corp., MAYFLOWER INVESTORS, INC., Chicago City Bank & Trust Company, The Chicago City Bank, The Chicago City Investment Company, The Chicago Title Insurance Co., Ramada Inn, Inc. and others. This inquiry should be into the use of unsurveyed United States Government land and submerged lands with cloudy titles in navigable waters, as collateral and security with

lending institution under FDIC protection, and to form investment trusts using Federal lands upon which no valid title can exist. This should also be investigated by the Security and Exchange Commission.

My definition of their acts is: CRIMINAL ACTS, IN A CRIMINAL CONSPIRACY, TO DEFRAUD THE UNITED STATES AND FLORIDA. It is indeed strange the protection they are afforded, with no denial of accuracy and truth of my allegations, by the U. S. Attorney and Florida Attorney General, the Corps of Engineersaand.others.

FLORIDA REALTY sold said lands to its own corporation and mortgaged it back to the same firm, whose officers were the same, and kited the value to about three times its price.

Throughout the State of Ohio, Florida Vanderbilt-Mayflower sold investment shares to individuals in each of 16 firms organized to build and lease as condominium buildings to other firms apparently under the (16) Real Estate Investment Trust Act of Congress.

These shares and securities were not found registered with the State of Ohio or the Securities Exchange Commission and the Ohio Securities Commission investigated. The final result was guilty, but a closed meeting was held with the press barred. Nothing further was revealed. Introduced is a statement from an investor and news clipping. (17)

The promoter and seller of the investment shares at this time Florida Vanderbilt Development Corporation was a fictitious and non-existent firm - not de facto and not dejure. No charter was had. No legal record has ever been found of the firm's existence until 1970. After inquiry by a Florida investigator, the Florida Realty Co., (Ohio) changed its name on Feb. 22, 1970 to Florida Vanderbilt Development Corp. Neither firms registered in Florida.

On April 20, 1970, Florida Vanderbilt-Mayflower did register in Florida. It also organized by the same name in Delaware, having 100 shares at 10 cents each, for $10.00 advertising itself as a multi-million dollar firm. (18)

This firm did not have at any time one single foot of Real Estate or ever have a deed to any sold. The firm was a dummy front. Attached is a list of public record participants in the fictitious Florida Vanderbilt Development Corp. Others are believed concealed under Trust Agreements. Note that these are lawyers, bankers, and prominent names - selling Federal land. (19)

Note the Court Order Compliance show G.E. Carroll to be a stockholder and who is an officer in the firm. Carroll is also senior partner in the firm of counsel for same. (Smith) Carroll, Vega, Brown & Nichols, P.A., of Naples, Florida. (20)

Harold A. Smith is now a Circuit Judge, who sits on the bench in judgment of legal matters over the same firm and property. Said Judge Smith also trafficks in the sale of State submerged land and Federal land. Introduced is copy of deed bearing his name on a $240,000.00 sale to the National Nature Conservancy in Washington, D.C. along with records showing his former law partners, Carroll and Vega involved and TriCounty Engineering, Inc., alleging a Federal meander line to be one-half mile in error. Carroll formerly allegedly purchased state land for about $20 an acre. Smith purchased it for $100.00 and sold it to the conservancy for $600.00 per acre. He also held trials on submerged lands while trafficking in same. Public re- (21)

cords speak for themselves, as introduced.

I have voluminous files on the fraud of both Vanderbilt Towers and Del-nor Towers that Mayflower Investors have perpetrated and are still involved in, in Collier County, with sanction and concealment of Federal Agencies and State Agencies.

I strongly recommend this Committee also investigate the Ramada Inns, Inc., The Chicago Title Insurance Company of Illinois, The Mayflower Investors, Inc. of Illinois and Delaware, and the stock brokerage firm McCormick & Co. of Chicago, Illinois and their participation in this land fraud and swindle of Federal Domain.

U. S. records prove this fraud, but who in Federal Government is furnishing the protection. Look to the Department of Justice and the political contributions of the Collier family - possibly Watergate records may have this name.

Next is the Federal fraud and three miles of North Naples beachfront and three miles of Island. PARK SHORES SUBDIVISION developers, Raymond L. Lutgert, Inc., Collier Development Corporation, Chicago Title Insurance Co., The Collier County Commission, Florida Cabinet Members, Trustees of the Internal Improvement Trust Fund of Florida, aided and abetted by the Collier owned Naples Daily News and the Naples Star who are advertising land with cloudy titles, using the U. S. Mail, and the Federal Communications Commission licensed Palmer Broadcasting Co., of Naples, Florida, advertising Federal land for sale on Federal Airwaves.

Documents, signed on official letterheads, show this fraud in-

volves illegal dredging, illegal filling of Federal lands, State submerged lands, submitting false records to U.S. Agencies, obtaining loans on false information, indications of bribery and many other crimes.

You will not believe such Federal fraud has occurred. It is more or less expected in lesser amounts in the State - but of this magnitude?

I respectfully request your acceptance of these documents and news material introduced, with permission to submit a more detailed account within 30 days. I also will be glad to testify in another hearing and in closed meeting.

The Park Shores fraud need the investigation of the FBI, this Committee, the U.S. Senate and the Securities Exchange Commission. I suggest the investigation of why the FCC allows Palmer Broadcasting to use the airwaves to sell federal land and illegally filled lands.

I suggest the investigating the Postal Service and their Inspectors for allowing the use of the mails for newspapers selling Federal lands, or illegally filled lands.

For Marco Island, I will submit, with the Committee's permission, a separate statement within 30 days. It is also complex and a major fraud upon the people. I have documents to back up this claim. It is a tragedy of fraud against the people of the entire nation.

If we only had integrity in the Justice Department and the Corps of Engineers and that portion of the Surveying Profession responsible. This would not be our major problem today.

I ask personally only one thing, that our Federal Officials enforce the Statutes and be honest.

I don't think that is too much, do you?

Thank you for this opportunity, I am

Sincerely,

George C. Matthews

GEORGE C. MATTHEWS

FD-36 (Rev. 5-22-64)

FBI

Date: 2/14/73

Transmit the following in _____
(Type in plaintext or code)

Via AIRTEL _____
(Priority)

TO: ACTING DIRECTOR, FBI

FROM: SAC, MIAMI (46-4127) (P)

ALLEGED REMOVAL OF U. S. SURVEY MARKS,
NAPLES, FLORIDA
ILLEGAL SALE AND CONVERSION OF FEDERAL LANDS
GEORGE C. MATTHEWS - COMPLAINANT
FAG
(OO:MIAMI)

Re Bureau airtel to Miami, 2/9/73.

It may be noted that the complainant contacted the Resident Agent at Naples, Florida on 2/5/73 and furnished copies of the communications which he had submitted to the Bureau. MATTHEWS was interviewed at that time and on 2/13/73 the material furnished by MATTHEWS was discussed with AUSA ROBERT REYNOLDS.

Mr. REYNOLDS noted that he had recently been assigned voluminous files relating to matters complained of by Mr. MATTHEWS over a period of several years and these files include a dozen suits filed by MATTHEWS charging fifty or more Government officials or Agencies with some violation or dereliction of duty. He could not determine from Mr. MATTHEWS' complaint of 2/4/73 if this is not simply a repetition of matters cited in the suits or named in previous complaints by MATTHEWS.

"ENCLOSURE ATTACHED"

3 - Bureau (encls. 4)
2 - Miami
JPB:eab
(5)

ENCLOSURE

REC-73

46-65269-2

7 FEB 16 1973

EX-109

LHM - 2-OROM

2/22/73

57 MAR 2 1973

APR 9 1973

Approved: _____ Sent _____ M Per _____
Special Agent in Charge

☆U.S.Government Printing Office: 1972 — 455-574

If this is the case, he would recommend no investigation on the grounds that the issues complained of are now before the Appellate Court.

Mr. REYNOLDS requested that MATTHEWS be interviewed to determine if the issues he raises in his letter of 2/4/73 have been raised in the suits he has filed in Federal Court and, if not, then he should be requested to more specifically identify the specifics of the alleged offenses.

For the information of the Bureau, it may be noted that Miami has previously submitted LHMs dated 8/30/71 and 9/20/71 covering complaints made by MATTHEWS. These LHMs were captioned, "ROBERT W. RUST, UNITED STATES ATTORNEY, SOUTHERN DISTRICT OF FLORIDA, MIAMI, FLORIDA", Miami file 62-6137.

LEADS:

MIAMI

AT NAPLES, FLORIDA

Will interview GEORGE C. MATTHEWS for the information sought by AUSA ROBERT REYNOLDS.

Enclosed for the Bureau is the original and three copies of an LHM dated and captioned as above. One copy of LHM being disseminated locally to the United States Attorney.

UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

In Reply, Please Refer to File No.

Miami, Florida
February 14, 1973

RE: ALLEGED REMOVAL OF U. S. SURVEY MARKS, NAPLES, FLORIDA
ILLEGAL SALE AND CONVERSION OF FEDERAL LANDS
GEORGE C. MATTHEWS - COMPLAINANT
FRAUD AGAINST THE GOVERNMENT

GEORGE C. MATTHEWS, 738 105th Avenue, North, Naples, Florida, has, over a period of several years, made a series of complaints to Federal and State officeholders, Members of Congress, the Federal Grand Jury, newspapers, etc. alleging irregularities affecting public lands in Collier County, Florida.

On August 27, 1971, United States Attorney ROBERT W. RUST, Miami, Florida, furnished the Miami office of the Federal Bureau of Investigation (FBI) with copies of correspondence from MATTHEWS in which the complainant alleged to the Department of Justice that there had been a lack of action on the part of the office of the United States Attorney. Mr. RUST also made available for review his file number 71-137, Cr - entitled FLORIDA VANDERBILT DEVELOPMENT CORPORATION reporting the prosecution by his office of several defendants for a violation of Title 33, Section 403 which prohibits dredging, excavating and bulkheading in a navigable water without prior approval from the United States Army Corps of Engineers. Mr. RUST noted that the complainant had continued to contact his office on a continuing basis concerning alleged pollution and dredging activities of companies in Collier County. The information made available by Mr. RUST was summarized in a memorandum by the Miami office of the FBI dated August 30, 1971.

By letter dated September 13, 1971, Assistant United States Attorney GEORGE A. KOKUS, Miami, Florida furnished the Miami FBI office with a copy of a complaint that MATTHEWS had

46-65269-2
~~46-0-5362~~

ENCLOSURE

made to the Federal Grand Jury. This material was incorporated into a memorandum prepared by the Miami FBI office and dated September 20, 1971.

Currently, on February 5, 1973, Mr. MATTHEWS was interviewed at his request at his residence in Naples, Florida at which time he advised that he had directed a letter to the Acting Director of the FBI under date of February 4, 1973 titled, "Violation of U. S. Title 18, Removal of U. S. Survey Marks, Naples, Florida, Illegal Sale and Conversion of Federal Lands". He furnished a copy of that communication as well as copies of the following additional letters he had prepared:

Letter dated February 4, 1973 to the Honorable Clifford Wenzel, Chairman, Board of County Commissioners, Collier County Complex, East Naples, Florida

and

Letter dated February 4, 1973 to the Environmental Protection Agency, 1421 Peachtree Street, N.E., Atlanta, Georgia.

On February 7, 1973, MATTHEWS again contacted the FBI at Naples, Florida at which time he furnished copies of the following additional documents:

Stipulation in USDC-SDF Case #71-137-CR-TC MATTHEWS alleged that the Stipulation had been prepared by Former Assistant U. S. Attorney KENNETH G. OERTEL and had been prepared in such a manner as to favor the Defendants

and

A memorandum prepared by MATTHEWS dated July 3, 1971 challenging the Stipulation in Case 71-137-CR-TC.

ALLEGED REMOVAL OF U. S. SURVEY MARKS,
NAPLES, FLORIDA
ILLEGAL SALE AND CONVERSION OF FEDERAL LANDS
GEORGE C. MATTHEWS - COMPLAINANT

MATTHEWS related that he had been the subject of a news article in an August, 1972 issue of "Time" magazine on the subject of environment and had also been the subject of newspaper comment in St. Petersburg, Florida and Miami, Florida newspapers.

MATTHEWS now alleged that he had been the victim of a campaign to discredit and harass him which campaign had included the following course of action.

a. His former landlord had been contacted by representatives of the law firm which generally represents the developers who have been sued by MATTHEWS and they were offered a sum of money if they would refuse to renew MATTHEWS' lease.

b. JIM RYAN, a reporter for the St. Petersburg Times, had published an article favorable to MATTHEWS concerning his efforts to save the Florida beaches. Shortly thereafter, RYAN had received a copy of FBI Identification Record #398 803 B. The record had been sent anonymously to RYAN. This record relates to MATTHEWS and identifies his history of arrests. MATTHEWS furnished Agent a copy of this record which he had in his possession.

c. It is his understanding that shortly after the article mentioned above appeared in "Time" magazine, a copy of the FBI Identification Record was received by "Time". MATTHEWS advised that he had learned this from the reporter who had written the "Time" article. A follow-up article in "Time" was dropped.

d. MATTHEWS advised that he has heard that copies of this FBI Identification Record have also been received at the "Miami Herald" by the Collier County Commission and by the office of JAY LANDERS of Governor RUBEN ASKEW's office at Tallahassee, Florida.

MATTHEWS continued that the copy of the Identification record bears the date of "4-19-71" and that it was about that time that the Government brought suit against a developer named RAYMOND LUTGERT and his companies of Naples, Florida. The case was handled by former Assistant United States Attorney OERTEL and MATTHEWS suspects that OERTEL may have obtained his FBI Identification Record at that time.

MATTHEWS added that OERTEL, in the course of several cases of this type, became good friends with one GEORGE VEGA, Attorney for the developers. VEGA in turn is close to one JOEL KUPERBERG, Executive Director of the Internal Improvement Trust Fund of the State of Florida. He reported that OERTEL is now employed as an aide to KUPERBERG.

MATTHEWS asserted that he has numerous charts and public records showing surveys, purporting to be identical with United States Government surveys, which have been altered in order to establish rights to land belonging to the United States Government. The land in question includes approximately 50 miles of beachfront, extending inland varying distances, along the southwest coast of Florida, largely yet undeveloped. He added that Gulf front land is selling for a minimum of $5,000,000.00 per mile.

On February 13, 1973, Assistant United States Attorney ROBERT REYNOLDS advised that the matters involving the complainant have recently been re-assigned to him and these matters involve a series of approximately twelve suits which MATTHEWS had filed in United States District Court, Southern District of

ALLEGED REMOVAL OF U. S. SURVEY MARKS,
NAPLES, FLORIDA
ILLEGAL SALE AND CONVERSION OF FEDERAL LANDS
GEORGE C. MATTHEWS - COMPLAINANT

Florida, charging various Federal and State Government officials and Agencies with some violation or dereliction of duty. MATTHEWS, who had taken certain correspondence courses in Law had filed his pleadings himself and all of the cases were dismissed without prejudice by the Senior Federal Judge at Miami primarily for non-compliance with Rule 5 which essentially meant that the pleadings were non-specific or unclear. MATTHEWS has appealed the dismissal of his suits and the appeal is currently before the Fifth Circuit. Mr. REYNOLDS observed that the current complaint by MATTHEWS quite possibly refers to the subject matter of one or more of his suits now on appeal or to matters which he has previously referred to the office of the United States Attorney. In that event, no investigation would be requested inasmuch as the matter is before the Court or already under review. If Mr. MATTHEWS has raised a new issue, then he should be requested to specifically identify the subject matter of his complaint.

With reference to the complainant's assertion relating to the dissemination of the FBI Identification record, Mr. REYNOLDS advised that he has no information concerning that matter.

Copies of documents furnished by MATTHEWS and attached to this memorandum are as follows:

1. Letter from GEORGE C. MATTHEWS to the FBI dated February 4, 1973.

2. Letter from GEORGE C. MATTHEWS to the Board of County Commissioners dated February 4, 1973.

3. Letter from GEORGE C. MATTHEWS to the Environmental Protection Agency dated February 4, 1973.

ALLEGED REMOVAL OF U. S. SURVEY MARKS,
NAPLES, FLORIDA
ILLEGAL SALE AND CONVERSION OF FEDERAL LANDS
GEORGE C. MATTHEWS - COMPLAINANT

4. Stipulation in Case 71-137-CR-TC.

5. Memorandum by GEORGE C. MATTHEWS dated July 31, 1971.

6. FBI Identification Record #398 803 B.

7. Final Judgment and Complaint in U. S. vs RAYMOND L. LUTGERT, et al.

A copy of this memorandum is being furnished to the United States Attorney's office, Miami, Florida.

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

46-65269-2

~~46-0-5362~~

ENCLOSURE

GEORGE C. MATTHEWS
NAPLES, FLORIDA 33940
597-5145

Reply to:
738 105th Ave. No.

February 4, 1973

Federal Bureau of Investigation
Washington, D.C.

Attention: Patrick C. Gray, Director

RE: Violation of U.S. Title 18
Removal of U.S. Survey Marks, Naples, Florida
Illegal Sale & Conversion of Federal Lands

Dear Director Gray:

Pursuant to the duties described by Title 28 U.S. Code 535, this is to request your investigation into the conversion of Federal Public Domain in Collier County, Florida by private parties and federal officers. The falsification and alteration of U.S. Cadastral Survey maps and information, the enlargement of U.S. Government lots and the criminal conversion of lands omitted in error from the original U.S. survey are self evident. Such lands converted have been subsequently sold in interstate commerc in violation of federal and state statutes, and real estate laws.

The areas involved include Collier County, Florida Township 48, -- 49 South, Range 25 East. United States officers knowingly participated with private parties. These acts constitute collusion and are illegal. It is my intention, if necessary, to apply to the nearest U.S. Magistrate for a Federal warrant for the arrest of every U.S. officer or employee, and those state and county officials and officers involved, private surveyors included.

U.S. Attorney Robert W. Rust has sanctioned and concealed illegal acts. The Environmental Protection Agency, Chief John White, of the Atlanta Regional office has concealed the use of false information and caused illegal issuance of after-the-fact permits by Gail G. Gren of the Jacksonville District office of the Corps of Engineers. The use of erroneous survey maps and information and the issuance illegally of new Army permits on such is self evident.

I especially charge the Chief Cadastral Surveyor, Lane J. Bouman, of the U.S. Bureau of Land Management, of wilful dereliction of duty, refusal and failure to protect Federal Domain after notification of criminal converstion being in progress in Collier County.

It is requested that Mr. Bouman's conduct be examined for concealment of Federal violations, malfeasance and malconduct involved in his failure to perform his duties, in Collier County, Florida.

You are further advised of the violations of the U.S. Code concerning the illegal sale or disposition of Federal Public Domain and filing in the public records of surveys, maps and information purporting to be valid U.S. Survey information by the Collier County Board of County Commissioners, the Collier County Manager, and Director of Building permits.

Your attention is especially called to the issuance of construction permits on Federal & State land to private agents by the building department director of Collier County and the approval of dredge permits on Federal lands, illegally sold by the Collier Corporation and Collier Development Corporation among others.

The Collier Corporation has sold and issued warranty deeds for Federal Public lands outside the U.S. Survey closures. Frankly speaking and to the point, I raise questions as to what strange hold the Collier Development Corporation and others have on Federal officers that public domain can be criminally converted by developers and free from federal or state interference with their illegal activities.

I am by copy of this letter requesting various oversight committees of the U.S. Senate and Congress to use their powers and influence to act and to intervene in the failure of the Justice Department to stop the criminal conversion of Federal domain in Collier County and to cause to be suspended from office the U.S. Attorney and Chief of Engineers Clark, and Environmental Protection Agency, Chief White, and to take whatever steps are necessary to remove the Chief Cadastral Surveyor from office along with those federal employees protecting and concealing criminal activities in southwest Florida.

Yours very truly

George C. Matthews

George C. Matthews

GCM:imm
CC: The White House
U.S. Senate Interior Committee
U.S. HOUSE of Representatives
Chief Surveyor
___ U.S. Senate Public Works Committee

GEORGE C. MATTHEWS
NAPLES, FLORIDA 33940
597-5145
Reply to: 738 105th Ave. No.

February 4, 1973

The Honorable Clifford Wenzel, Chairman
Board of County Commissioners
Collier County Complex
East Naples, Florida 33940

RE:Request for FBI Investigation,
Illegal Disposition Federal Land,
Falsified U.S. Survey Information,
Collier County, Florida

Dear Sir:

Signature on documents, surveys and deeds in Collier County public records stand in mute evidence of the alteration and the use of false and erroneous survey information and instruments purporting to be evidence and representative of valid United States Cadastral Survey data and being knowingly used by Collier County, and private agents for legal purposes in realty transactions.

The records filed, when compared with valid U.S. Survey maps, show relocation, removal and alterations of survey markers and section and boundary lines, including the enlargement of U.S. Government lots and their configuration. These acts are in violation of U.S. Criminal Laws, Title 18. These signed and accepted documents speak for themselves. The use, approval and acceptance for filing of such false information by county officials, and whereby county officials have participated in and made themselves accessories in the fraudulent conversion of Federal and Sovereign State lands has reached the point of no longer being a matter to tolerate.

For several years I have attempted to impress upon you the fact of erroneous survey information in use for unlawful conversion of public beaches to private owners. You apparently chose to believe those participating in the conversion. The Internal Improvement Trust Fund Director, Joel Kuperberg, has even finally admitted my being correct in stating that large tracts of land were omitted from the Federal Survey and still belonged to the U.S. The Bureau of Land Management confirms the omitted lands are the property of the United States Government, including the beaches of Collier County being Federal Property, that are outside the U.S. Survey lines and omitted from the original survey. Your local news media have failed to print Joel Kuperberg's admission of the omission as I claimed, but newspapers all over the state have printed such.

I am requesting the FBI to investigate the Collier County officials and employees activities and partcipation in the use of false survey information and the acts approving such and issuing construction and other permits for illegal operations on Federal Public Domain, and being an accessory to conversion of public land by private parties and sale thereof, in interstate commerce. I am of the opinion they will find more than false survey information involved.

I am particularly requesting they inquire into the issuance of a building permit to a non-existent association, Vanderbilt Ramada Association. No record is found of this firm in Florida. Strong odors arise from the County officials, the Collier properties and the permits issued in Park Shore subdivision for condominiums approved by the County Manager. In fact, there are a number of strange odors arising over the county beaches that are not garbage.

You may rest assured there will be much more brought out, as we have reached the point, if you don't divest yourselves of the sources of your false information and guidance, we will obtain help from the U.S. to clean up the situation for us.

It is hereby suggested that the Commissioners seek an immediate method to terminate the illegal construction now underway in the coastal and beach areas, and Mr. Turner and Mr. Clemmer retire from county employment.

Attached is copy of letter to the Federal Bureau of Investigation concerning my compaint of your official activities. I suggest you do not entertain the thought we intend to allow the illegal taking of our lands and waters to continue.

Yours very truly

George G. Matthews

GCM:imm
encl.

GEORGE C. MATTHEWS
722 109th Ave. North
Naples, Fla. 33940

UNITED STATES DISTRICT COURT.
SOUTHERN DISTRICT OF FLORIDA
No. 71-137-CR-TC

The following is refutation and challenge to the accuracy and integrity of the stipulation on file in the above styled case.

1: The "man made" waterway has existed as a natural waterway and tidal submerged lands and has been navigable since known Survey of 1875 by the United States. It's present condition is the result of illegal channelization and straightening.

2: The work was not done at anytime with the permission of the landowner owning the property on the opposite side, who had no property interest in the converted property, since the submerged land is sovereign land that was dredged. State records will substantiate the unlawful act.

3: There are three separate and distinct locations of violations, one in Section 29, two in Section 20, all in sovereign waters, lands belonging to the State of Florida, dedicated to the public, in previous years, and filed in the public records of Collier County, in addition to the sovereignty status.

4: The United States Attorney and defendants are estopped from asserting the conclusion by the engineering firm that the canal area did not constitute navigable water of the United States, by State, Federal and County records.

The United States Attorney was furnished knowledge of the public records of the State of Florida that this was a navigable body of water by the U.S. Department of the Interior, The Corps of Engineers and by me.
The United States Department of the Army, Corps of Engineers, periodically advised all engineering firms in this area of the necessity of Army permits (Notice Attached-9 Sept. 1966)

5: In the public records of the United States Army, Corps of Engineers, the Florida Department of Transportation, the Office of the County Engineers, the United States Coast Guard, and possibly others, is the Notice of Application dated 18 January 1967, for a bridge over the same waterway, (SAJSP Bridges-1185), contiguous to the violated areas.
In the files of the Fort Myers News-Press and the Naples Daily News are 1967 news reports of the bridge and of the proposed Intracoastal Waterway extension identifying this waterway at the end of SR 846, the Immokolee Road Extension. (Copies are attached.) The engineering firm, the attorney for the corporate defendants were residents and in business in the county at this time.

GEORGE C. MATTHEWS
722 10th Ave. North
Naples, Fla. 33940

6: News release, dated Wednesday January 22, 1969, dateline Naples, by Bryant L. Hampton of Tri-County Engineers, indicating the dredging to begin is attached, showing the site as "mostly mangrove and tidal flats", etc.

7: The United States Attorney has been furnished innumerable documents and data of this area relative to the topagraphy and we refer you particularly to the report of the United States Department of the Interior refusing to sanction an illegal act which apparently was ignored by the United States Attorney.

8: The public records refute all claims to ignorance of navigable status and requiring permits from the Army and the State, which were not had from either source, nor were applications made by the public admission of the defendants.

NAVIGABILITY

The Courts have held that navigable waters include waterways which either in their natural or improved condition are used or can be used, for floating light boats or logs, even though the waterway may be obstructed by falls, rapids, sandbars, currents, etc., even though the waterway has not been used for navigation for many years.

Ref: ROCHESTER GAS AND ELECTRIC CORP. v. FEDERAL POWER COMMISSION
344 F. 2d 594 (CA 2, 1965)

PUENTA deREYNOSA S.A. v. CITY OF McALLEN
357 F. 2d 43, 50-51 (CA 5, 1966)

NAMEKAGON HYDRO CO. v. FEDERAL POWER COMMISSION
216 F. 2d 509 (CA 7, 1954)

among many others.

The area involved is sovereign land never surveyed by the State of Florida. The private survey in 1959, admittedly is aerial photographs and was rejected by the State of Florida. The entire area dredged was the property of the people (State) sovereign trust lands held for the people (Copy of letter from State attached)

The United States Attorney was aware of this fact, and is estopped to deny such.

722 10th Ave. N.
Naples, Fla. 33940

A: In the early 1950's the prior owner did not dredge the canal. There was no landlocked lagoon type lake. The "stream" or small river, the Cocohatchee River is approximately 450 feet wide at the Gulf and greater width in some places. Hardly a small stream.

Wiggins Pass is an outlet, or pass, not a channel, 450 feet plus and in excess of 10 feet deep at low tide at its mouth, where the Cocohatchee River enters the Gulf of Mexico.

B: Conner Brothers Engineering and Construction Co.,Inc. of Tampa, Florida, channelized and altered the submerged land in Section 29, South of this area, and channelized the submerged lands of Section 20 and straightened natural creeks and channelized the submerged area, into Section 17 to the north to the river.

The work was illegally done, without Army permit, without permission of the State, or the persons claiming and alleging title to the land, the Estate of Baron Collier. The land was and is sovereign land, and never capable of private ownership.

C: The alleged landlocked "Turkey Lake" (Correct name Turkey Bay) has never been landlocked, has been a productive viable fishing and breeding area until the dredging by the defendants and is connected to the Cocohatchee River by a navigable stream called "Lost Woman's Creek" or by some "No Name Creek". Until the "Conner" channelization, Lost Woman's Creek was the channel and kept clean and navigable by the current to the Cocohatchee River. The "Conner" channelization altered the main flow to the new channel. The defendant's dredging created considerable silt and turbidity problems and suspended silt in the water. Tide waters flowing out were slowed at the outlet and dropped heavier silt, creating some shoals at the channel exit of the Bay to the north.

Attached is year 1927 chart, copy made from the U.S. Dept. of Agriculture photograph in the Land Office of the State of Florida, showing the existence of waterways extending south from Cocohatchee River through Turkey Bay, south to Naples. U.S.D.A. CHART and Identification number shown thereon.

D: In excess of 100 acres of valuable breeding and spawning grounds in sport fishing waters, navigable in themselves, and interlaced with viable red mangroves have been destroyed. As the records will show, red mangroves do not grow on dry uplands. They are marine plants only, especially with oysters growing thereon. The Florida Marine Patrol can testify to the destruction.

E: The outlet (see stipulation Page 2-line 3) at Wiggins Pass is a minimum at low tide, of 8 to 10 feet deep at all times because of the strong current flow which drains tide water from bays and bayous, approximating five square miles and two rivers. The channel is in the same location it was twenty years ago, Periodic aerial photographs are available by commercial photographers to verify it. Commercial fishing guides, residents, sport fishermen and boaters are available as witnesses.

F: At normal low tide any reasonable sized fishing craft, commercial fishing skiff or pleasure boat can navigate the channels, Turkey Bay and Wiggins Pass, as competent boaters will verify. It is possible that an intoxicated boater, a stranger to the area, a novice or day-dreamer might find himself out of the channel on a bar. The same as any other inlet, it has its channel which is the "public highway" in which to stay.

G: If only a small boat of three (3) feet or less can navigate only at high tide, how can a three foot or even two foot boat navigate at all when our diurnal range at maximum is about 2.6 and mean high tide is 1.42 at this area. This only leaves 1.42 above bottom according to the stipulation filed at high tide.

HOW DID THE DEFENDANTS GET A HUGE MARINE HYDRAULIC DREDGE, ON A BARGE, IN TO THE DREDGE SIDE IN SUCH A CHANNEL, IF THE CHANNEL IS SO FULL OF SHOALS, SO SHALLOW AND NOT NAVIGABLE. THERE IS ON ITS FACE, A BLANTANT FALSE FACT STATED.

Engineering drawing made from aerial photograph showing contours, elevations with error of 6" taken from incorrect State Road Department data as shown, on Corps of Engineers application of .9 of Mean High Water, also completely refuted by attached U.S. C. & G. Survey tidal data showing correct Mean High Tide being as 1.42 at Little Hickory Island which is the north side of Wiggins Pass.

Attached drawing shows before and after width of the dredging by the marine dredge, shown in the water and taken prior to construction of the bridge, while filling of submerged land is in progress.

You will also note the huge barge situated in the alleged non-navigable canal, at the north end of Turkey Bay. You will also note their own figures, showing four feet or more of water, north and south across Turkey Bay. You will note their own measurements on west side central portion of Turkey Bay.

You will note the east side, Lost Woman's Creek, width sufficient for navigation, of approximately 60 to 90 feet, and since known, capable of navigability into the river, now and prior to the channelization of submerged lands and mangrove destruction.

Obviously the attorney's statements are not correct and are distorted.

There is no bar at Wiggins Pass itself. Offshore 1/8 to 1/4 mile in the Gulf of Mexico, there is a sand shoal, water depth three to three and one-half feet at low tide, but navigable even then.

H: The Cocohatchee River is navigated daily by novice and experienced boaters and various size boats, strangers and residents. I have never seen anyone aground except intentional anchoring. The statement in the record is absolutely ridiculous and a mockery of the truth.

The canal channel depth is about six (6) feet or more at all locations at low tide. Its depth in Turkey Bay is from three (3) feet to five (5) feet at low tide in the proper channel.

I: Turkey Bay is a far cry from "about 30-50 yards". The statement is ridiculous. At one traverse Turkey Bay measures 1920 feet, <u>over one third of a mile,</u> north to south. It is 1440 feet, almost one quarter mile, at one traverse east to west. This constitutes a major difference in the stated (30-50) yards. It is apparent the signators did not intend to reveal the size of this bay. Note photo attached.

No inference can be drawn from the dimensions except to deceive. No evidence is shown of any personal inspection made of the area.

J: This bay, Turkey Bay is adjacent to the Delnor State Park, and is in the midst of submerged and tidal lands containing red mangroves and one small segment of the southwest corner, where the defendants dredged, removed two islands and completely filled a natural waterway, blocked the flow of water, created a dead end stagnant slough and destroyed valuable marine life, all without Federal or State permits and without ownership of the land, filled submerged lands to form an area of about 20 acres.

Now the U.S. Attorney and certain State officials, and the Corps of Engineers attempt to allow said violators to profit by their illegal acts.

The United States Attorney knew the entire history of this matter and the United States Dept. of Interior should be able to verify this.

On July 16, 1971, at 10:30 A.M., in the presence of three witnesses, in a boat with 25 horsepower outboard, extra deep propeller foot, we visted Turkey Bay. Commencing at the southern most point of Turkey Bay, one and one/half hour befor low tide, at intervals of about two hundred feet, the depth of the bay channel was sounded to the north end of Turkey Bay. The depths we measured are:

1:	8'.0"	6:	4'.6"	
2:	4'.3"	7:	4'.0"	
3:	4'.2"	8:	5'.6"	
4:	4'.3"	9:	5'.9"	
5:	4'.4"	10:	5'.4"	at 10:45 A.M.

Low tide shown at 12:14 P.M. at Bonita Beach, four miles north.

The entrance of channel into Cocohatchee River was too deep for our 10 foot pole. The mouth of the river at Wiggins Pass was in excess of 10 feet deep.

I have no other alternative, based on the enormous amount of research for two years, data and facts accumulated and other information except to say that, the acts of the United States Attorney give me no other opinion except the wilful and deliberate filing of information, known to be incorrect.

I am of the opinion that political influence and private motivation of developers, and land owners of large holdings, are responsible for such and in an effort to defraud the people and the State of Sovereign Trust lands.

It also appears to be a strange coincidence of the resemblance of the sentiments in the stipulation to the attitudes of the Executive Director of the State of Florida Board of Trustees of the Internal Improvement Trust Fund, along with officials and employees' unrevealed involvement in illegal acts believed to have influenced improperly the attitudes of the office of the United States Attorney.

If respect for the laws and the United States Justice Department is to survive, open and public handling of these violations must take place. Acts like these breed only contempt for laws and officials.

After serious and prolonged discussions with residents familiar for years with the facts and history of Turkey Bay, no other conclusion can be reached except the deliberate yielding of United States employees to the pressures exerted, direct or indirect, by the holders and their corporation officers and personnel of certain large landowners, holders and developers. I am further of the opinion that these same political manipulators owning lands have exterted their pressure upon the news media, in ways similiar to those under their control to suppress any publication of the illegal activities in this area, and to prevent the public from knowing of the illegal conversion of sovereign land to private profit.

I have other pertinent information of a confidential nature, not for publication at this time, including landholders suppression of news.

Theoretically, we are supposed to have equal protection and due process under our constitution. Very little semblance to such is found in this county. We do not wish to have to file suit against the United States Attorney, but we will if necessary.

Your suspension of these parties complained of and a full investigation is requested, and your acknowledgement of this request will be appreciated.

George C. Matthews

7/31/71

b6
b7C

I, am a resident of [redacted] and have fished and operated my boat in the waters herein described since 1963.

I concur in the above herein statement & find it to be true to the best of my knowledge & belief

L. W. Carlton

[redacted]

7/31/71

46-65269-2

GEORGE C. MATTHEWS
NAPLES, FLORIDA 33940
597-5145

reply to
738 105th Ave. No.

February 4, 1973

Environmental Protection Agency
1421 Peachtree Street N.E.
Atlanta, Georgia 30309

RE: Violations of Title 18, U.S.C.
Malfeasance, Maloonduct
Federal Domain
Collier County, Florida
PARK SHORES, VANDERBILT BEACH and
elsewhere

Gentlemen:

Please be advised and take notice that the undersigned will apply, as a citizen, to the appropriate United States Magistrate for the issuance of warrants for any and all parties in the EPA Southeastern Regional office having participated in the approval of certifications and in anyway involved in the developments of subject areas which you have been repeatedly notified to be Federal and State properties, and chose to ignore such advice.

You are also reminded that you have been repeatedly notified of the use of falsified United States Survey information by the same developers of Park Shores, Inc. and Vanderbilt Beach properties, and the illegal and unlawful approval by the Chief of Army Engineers.

By copy of this letter we are also requesting the assistance of those Committees of the United States Senate and House of Representatives. The sanction and participation of land fraud and criminal conversion of federal domain and sovereign state land in Florida, Collier County and other areas, by U.S. officers, has to stop.

Sincerely

George C. Matthews

GCM:imm

cc: The White House
U.S. Senate Interior & Insular
Affairs Committee
U.S. Senate Public Works
Committee
[illegible] Representatives
[illegible] Chief
of Engineers
[illegible] Dept. of [illegible]
[illegible] Attorney General

(COPY)

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
No. 71-137-Cr-TC

UNITED STATES OF AMERICA :

v. :

FLORIDA VANDERBILT DEVELOPMENT CORPORATION :
TRANS-STATE DREDGING COMPANY :
TRI-COUNTY ENGINEERING, INC.
GARLAND & GARLAND, INC. :

:

STIPULATION

Florida Vanderbilt engaged Tri-County Engineering Co. as engineers to design and supervise construction work involving the widening and deepening of a man made waterway bordering its property--it also obtained permission of the landowner owning the property on the opposite side of the canal to dredge his property bordering the canal. Part of the work authorized was the bulkheading of the shore area along the canal on Florida Vanderbilt's property. The work was undertaken in 1969 and during the time mentioned in the Information filed in this case. The dredging was performed by Trans-State Dredging and the seawall was constructed by Garland & Garland. No permits were obtained from the U.S. Army Corps of Engineeers for this work, because of the condlusion by the engineering firm that the canal area did not constitute navigable waters of the United States. Permits were obtained from the local county Public Works Department.

NAVIGABILITY

The area involved, in its natural state was part of a privately owned tract of land which had no navigable connection with any other navigable body of water. In the early 1950's, the prior owners of the property dredged a canal about 3/4 of a mile long connecting a man made landlocked lagoon type lake with a stream or small river known as the Cocohotchee River. The Cocohotchee River flows into the Gulf of Mexico through a channel known as Wiggins Pass. The effect of the man made

(COPY)

GEORGE C. MATTHEWS
722 109th Ave. North
Naples, Fla. 33940

"Copy"

-2-

canal was to open the entire landlocked lake area to the Gulf of Mexico through the Cocohotchee River and Wiggins Pass.

The outlet at Wiggins Pass is very shallow and has no defined channel. It contains numerous shoals which shift and change from time to time. It can be navigated by small boats having a draft of less than 3 feet and then only at high tide. At low tide it cannot be passed by any boat operating on an engine. The Cocohotchee River has no defined channel, but is navigable by small boats familiar with the area. The canal waterway is 4 to 6 feet deep and is navigable to small boats without difficulty except where the channel passes through the body of water known as Turkey Lake, (about 30-50 yards), which is very shallow and can be traveled by small boats only at high tide. This lake lies between Florida Vanderbilt property and the Cocohotchee River.

The area referred to are shown on the aerial photograph designated as Exhibit A and by reference made a part hereof.

The area involved in its natural state is shown on the aerial photograph taken in 1952, designated as Exhibit B and by reference made a part hereof.

ISSUE

Does the canal area where the dredging and bulkheading work that was performed constitute navigable waters of the United States as that term is used in Sec. 403 of Title 33 United States Code.

The Defendants admit that at the time the dredging and bulkheading work was performed the waterway involved did constitute navigable waters of the United States.

Dated June 21, 1971.

Signed: Thomas B. DeWolf,
of
HELLIWELL, MELROSE & DeWOLF
Attorneys for
Florida Vanderbilt Development Corporation
Trans-State Dredging Company
Tri-County Engineering, Inc.
Garland & Garland, Inc.

ROBERT W. RUST
UNITED STATES ATTORNEY

By:
Kenneth G. Oertel
Assistant United States Attorney

REPRODUCTION OF SIGNED COPY IS AVAILABLE FOR VERIFICATION

GEORGE C. MATTHEWS
722 109th Ave. North
Naples, Fla. 33940

"Copy"

46-65269-2

Courtesy of
GEORGE C. MATTHEWS
722 109th Ave. North
Naples, Fla. 33940

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

NO. 71-1756-Civ-PF

UNITED STATES OF AMERICA, :
Plaintiff, :
vs. : FINAL JUDGMENT
RAYMOND L. LUTGERT, et al., :
Defendant. :

FILED
MAR 28 5 53 PM '72
JOSEPH L. SCHARF
CLERK, U.S. DIST. CT.
SOUTHERN DIST. OF FLA.
MIAMI, FLA.

THIS CAUSE having come on before the Court for trial non-jury and the Court having heard the stipulations, concessions and admissions of the parties, it is hereby,

ORDERED AND ADJUDGED as follows:

1. The plaintiff having agreed to a voluntary dismissal with prejudice against the defendant Trans State Dredging Co., the cause against said defendant should be and the same is hereby dismissed with prejudice.

2. Pursuant to agreement of the parties, the following 13 individuals and corporations are hereby added as parties defendant: The Scottsdale Co., Certified Homes, Inc., Claremont Construction Co., Inc., Heights Improvement Co., Inc., Lawrence Wood Corporation, Lexington Construction Company, Inc., Oak Construction Company, Inc., Rhodes Construction Company, Inc., Rosemont Construction Company, Inc., Scott Park Homes, Inc., Tohoma Homes, Inc., Scott Lutgert and R. E. Hartnett. The plaintiff's complaint is deemed amended so as to allege the same matters and things against said additional defendants as was alleged against the other Lutgert defendants.

These 13 defendants have voluntarily appeared and have adopted the same answer as previously filed herein by the other Lutgert defendants.

3. With the pleadings having been amended, the complaint should be and the same is hereby dismissed with prejudice as to each of said 13 defendants.

4. Final judgment should be and the same is hereby entered in favor of the plaintiff and against the defendant, Lutgert Construction Co., (also known as Raymond L. Lutgert Construction, Inc.) for compensatory damages only in the amount of One Hundred Fifty Thousand ($150,000.00) Dollars. Interest on said judgment shall not run for ninety (90) days from the date hereof and execution of said judgment shall be stayed for a like period of time.

5. The complaint should be and the same is hereby dismissed with prejudice as to the defendants Raymond L. Lutgert and Lutgert Properties, Inc.

6. As to the plaintiff's claims for punitive damages and equitable relief, the complaint should be and same is hereby dismissed with prejudice as to all defendants.

DONE AND ORDERED in Chambers at Miami, Dade County, Florida, this 28th day of March, 1972.

UNITED STATES DISTRICT JUDGE

J. pkc

UNITED STATES OF AMERICA

vs.

RAYMOND L. LUTGERT
LUTGERT PROPERTIES INC.
LUTGERT CONSTRUCTION CO.
TRANS STATE DREDGING CO.
WILSON, MILLER, BARTON & SOLL, INC.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

NO. 71-1756 CIV PF

COMPLAINT

NOW COMES the Plaintiff, the United States of America, by Robert W. Rust, United States Attorney for the Southern District of Florida, acting under the authority of the Attorney General of the United States, at the request of the Chief of Operations, United States Army Corps of Engineers, Jacksonville, Florida, and complaining of the defendants, respectfully shows the Court:

1. This Honorable Court has jurisdiction over this cause of action by virtue of the fact that the United States of America is Plaintiff herein (Title 28, United States Code, Section 1345) and further, by virtue of the fact that this cause of action arises under Title 33, United States Code, Section 401 et. seq. The defendant RAYMOND L. LUTGERT, is a resident of Naples, Florida, in the Southern District of Florida. The defendants LUTGERT PROPERTIES INC., LUTGERT CONSTRUCTION CO., TRANS STATE DREDGING CO., WILSON, MILLER, BARTON & SOLL, INC. are corporations incorporated under the laws of the State of Florida.

2. The waterway commencing at Doctors Pass, east of the Gulf of Mexico, Naples, Florida, and thence, continuing northward to Clam Pass including property owned by the defendant RAYMOND L. LUTGERT, is navigable waters of the United States within the meaning of Title 33, United States Code, Sections 403, 406 and 407. The defendant RAYMOND L. LUTGERT is the owner and developer of properties known as Park Shores Development, located in fractional sections 16 and 21, township 49 south, range 25 east, Collier County, Florida, referred to herein as "Defendant's land".

3. Beginning and commencing at a time unknown to the plaintiff, which the plaintiff says upon information and belief was some time in 1968 and continuing

until and through the present, the defendants have undertaken the excavation and filling of navigable waters herein described in paragraph 2. In doing so, the defendants have caused to be placed in these navigable waters floating dredges, draglines and other heavy equipment used in the removal and transportation of earth, sand and rock.

4. The defendants have caused and directed the construction of approximately 18,300 linear feet of sea wall and bulkhead constructed upon the defendant's land in navigable waters of the United States.

5. The defendants have caused and directed the removal of approximately 1,650,000 cubic yards of earthen fill from the navigable waters described in paragraph 2 and has altered and modified the course, condition and capacity of that navigable water.

6. The defendants have caused and directed the removal of large growing mangrove stands formerly located in this area, all of which lay below the mean high water mark on defendant's land. The defendants, in doing the above work, have destroyed one of the few remaining highly productive marine resource areas in north Collier County, Floriea. These mangroves were an extremely valuable marine resource in that those areas produce important commercial and sport fishes such as snook, tarpon, mangrove snapper, sea trout, mullet, shrimp, crabs, oysters and clams.

7. The destruction of mangrove stands on the defendant's land has had the effect and will continue to have the effect of destroying commercial and sport fishing in the South Florida area. This is to the detrement and contrary to the welfare of the people of South Florida and eventually, of the whole United States.

8. Unless the area, known as the defendant's land, is restored to its original condition, commerce and industry in South Florida and the United States will continue to be injured.

9. Growing and living and producing mangrove stands in South Florida and in the United States are finite in number. The continued destruction of these

growing plants, will eventually eliminate sport and commercial fishing in large areas of the United States and seriously injure the quality of marine life in the coastal waters of South Florida and the United States.

10. All the above work by the defendants, described in paragraphs 3, 4, 5 and 6, is forbidden by Section 403 of Title 33, United States Code, unless said work has been recommended by the Chief of Engineers and authorized by the Secretary of the Army prior to the beginning of same.

11. None of the above work has been recommended by the Chief of Engineers nor authorized by the Secretary of the Army prior to the beginning of same, and therefore, is contrary to the laws of the United States.

12. The defendants' action, described in paragraphs 3, 4, 5 and 6 herein, have caused and will continue to cause great and irreparable harm to the interests of commerce and navigation and the preservation of wildlife in the Southern District of Florida unless enjoined by this Court. The United States has no other plain, speedy or adequate remedy at law to halt and prevent the illegal and harmful results of such dredge and fill operations.

13. This Court is impowered by Section 12 of the Rivers and Harbors Act of March 3, 1899, Title 33, United States Code, Section 406, to enforce said act by injunction.

WHEREFORE, plaintiff, the United States of America, prays for a judgment against the defendants as follows:

a. That this Court issue preliminary and permanent injunctions directing the defendants to cease and desist from conducting further excavations or fill operations in or over the waters of the defendant's land at Naples, Florida, and restraining them from further engaging any such work pending the entry of final judgment herein.

b. That an order issue mandatorily compelling the defendants to restore the said navigable waters of the defendant's land to their natural state.

c. That the Court award damages to the plaintiff in the amount of $4,000,000.00 punitive and $2,000,000.00 compensatory, along with the costs of this action and such other and further relief as the Court may deem just and reasonable and proper.

ROBERT W. RUST
UNITED STATES ATTORNEY

By: _____
Kenneth G. Cortel
Assistant United States Attorney

46-65269-2

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION
WASHINGTON, D.C. 20537

4-19-71 334 1:0

J. Edgar Hoover
Director

The following FBI record, NUMBER 1338 803 B, is furnished ~~FOR OFFICIAL USE ONLY.~~

CONTRIBUTOR OF FINGERPRINTS	NAME AND NUMBER	ARRESTED OR RECEIVED	CHARGE	DISPOSITION
D Laredo Texas	George C: Mathews #2447	3-4-53	drk	in jail
D Valdosta Ga	George Carl Mathews #--	7-2-53	drk	$10.00 or 10 days
D Atlanta Ga	George Carl Matthews Jr #99447	3-13-54	D&D in bed. with woman	
D Tampa Fla	George Carl Matthews Jr #105114	11-16-63	drk	$25 BF
D Tampa Fla	George Carl Matthews Jr #105114	11-18-63	drk	$25/25
S Army	George Carl Matthews Jr #38-Bee-199 11	appl FP 3-31-42		
Clearwater Fla	George Carl Matthews #43769	3-15-64	public drk	Rel on own rec rel 3-17-64 Dismissed 4-9-6
Deputy USM Tampa Fla	George C Matthews Jr #135-1047-T	3-12-64	false statements to FHA	
D St Petersburg Fla	George Carl Matthews, #33579	4-8-64	drk	$15 BF 4-10-64

* Information shown on this Identification Record represents data furnished by fingerprint contributors. Where final disposition is not shown or further explanation of charge is desired, communicate with agency contributing those fingerprints.

Notations indicated by * are NOT based on fingerprints in FBI files but are listed only as investigative leads as being possibly identical with subject of this record.

U.S. GOVERNMENT PRINTING OFFICE 1953 O-[illegible]

UNITED STATES DEPARTMENT OF JUSTICE
F ERAL BUREAU OF INVESTIGATI
WASHINGTON, D.C. 20537

4-19-71 394 [illegible]

J. Edgar Hoover
Director.

2

The following FBI record, NUMBER 388 803 B, is furnished ~~FOR OFFICIAL USE ONLY.~~

CONTRIBUTOR OF FINGERPRINTS	NAME AND NUMBER	ARRESTED OR RECEIVED	CHARGE	DISPOSITION
SO Clearwater Fla	George Carl Matthews #43769	5-29-64	Public Drunk	
PD St Petersburg Fla.	George Carl Matthews #33579	10-19-64	FHA Viol. (Hold-for U.S.M.)	Rel to USM 10-19-64
SOS Army	George Carl. Mathews #C-104UT2	Appl FP 12-26-42		
PD Tampa Fla	George Carl Matthews #105114	10-19-64	Fed Safekeeping	Rel'd to USM 10-21-64
PD North Miami Fla.	George Carl Matthews #M-2189	6-21-65	pub intox	

Information shown on this Identification Record represents data furnished FBI by fingerprint contributors. Where final disposition is not shown or further explanation of charge is desired, communicate with agency contributing those fingerprints.
Notations indicated by * are NOT based on fingerprints in FBI files but are listed only as investigative leads as being possibly identical with subject of this record.

U.S. GOVERNMENT PRINTING OFFICE [illegible]

46-65269-2

Airtel

IST-104

3-2-73

TO: SAC, Miami (46-2127)

FROM: Acting Director, FBI

REC-21 46-65269-3

1 - Mr. Pringle

ALLEGED REMOVAL OF U. S. SURVEY MARKS, NAPLES, FLORIDA
ILLEGAL SALE AND CONVERSION OF FEDERAL LANDS
GEORGE C. MATTHEWS - COMPLAINANT
FAG
CO: MM

Enclosed for Miami is Xerox copy of a letter addressed to FBIHQ from George C. Matthews, 738 105th Avenue, North, Naples, Florida, dated 2-25-73. Complainant

Miami, acknowledge receipt of this letter and advise Matthews of the opinion of the USA concerning his complaints if the USA has rendered an opinion in this matter.

Enclosure

JET:aat (4)

MAILED 5
MAR 2 1973
FBI

Mr. Felt
Mr. Baker
Mr. Callahan
Mr. Cleveland
Mr. Conrad
Mr. Gebhardt
Mr. Jenkins
Mr. Marshall
Mr. Miller, E.S.
Mr. Soyars
Mr. Thompson
Mr. Walters
Tele. Room
Mr. Kinley
Mr. Armstrong
Mr. Bowers
Mr. Herington
Ms. Herwig
Mr. Mintz
Mrs. Neenan

61 MAR 15 1973

MAIL ROOM ☐ TELETYPE UNIT ☐

APR 9 1973

Mr. Hauer
Mr. Heim
Mr. Herington

Mr. Felt
Mr. Baker
Mr. Callahan
Mr. Cleveland
Mr. Conrad
Mr. Gebhardt
Mr. Jenkins
Mr. Marshall
Mr. Miller, E.S.
Mr. [illegible]
Mr. Sovars
Mr. W[illegible]
Tele. Room
Mr. Kinley
Mr. Armstrong
Mr. Bowers
Mr. Herington
Ms. Herwig
Mr. Mintz
Mrs. Neenan

GEORGE C. MATTHEWS
NAPLES, FLORIDA 33940
597-5145

February 25, 1973

The Honorable Patrick L. Gray, Director
Federal Bureau of Investigation
Washington, D.C. 20535

Re: Board of County Commissioners of Lee County, Fla.
Director of Public Works &Bldg. & Zoning Dept.
Private Surveys and Federal Lands

Dear Director Gray:

I have hand delivered to an agent of the F.B.I. documents indicative of and factural evidence of serious federal statue violations, constitutional violations of federal land provisions and acceptance and use of known false and erroneous survey map information purporting to be valid and authentic United States Survey data. Also involved is the illegal disposition of Federal land and Federal employees and agencies using federal funds.

This is a formal complaint against the Lee County Board of County Commissioners, in Lee County, Florida and their Director of Public Works and head of their Building and Zoning department, for the above acts and the request for your investigation in their knowingly using erroneous private surveys and acting in concert with State officers and private agents in matters directly affecting Federal Domain since 1962 and especially federal lands between the Lee County line to Estero Island, Estero Bay and the Bonita Beach Causeway and the use of Federal funds for purchase of right of way and construction of bridges and roads on lands already owned by the federal government and the State of Florida.

Available to your agents are in excess of ten years files and records on illegal coastal land deals with altered U. S. survey maps and records from one source and three years records of such in another file, plus a number of reliable and competent witnesses who are deeply concerned as to illegal acts taking place in southwest Florida.

EXP. PROC. FEB 28 1973 35

#18

d.p.

REC-21 ST-104

~~46-0-5367~~
46-65269-3

3-6

21 ~~FEB 28~~ 1973

Airtel to SAC, MM 3/2/73 JLT/aat Lovell SIX

Examination of Title 28 U.S.C. reveals apparent sufficient F.B.I. jurisdiction when related to the acts complained of in Lee County and Tallahassee, Florida as well as Jacksonville, Florida.

Your acknowledgement will be appreciated.

Yours very truly

George C. Matthews

GCM:imm

CC: The White House
The Governor of Florida
Senator Jennings Randolph.
Senator Henry Jackson

Airtel

3/21/73

PERS REC UNIT

To: SAC, Miami (46-4127) REC-13 MCT 46-65269-3X

EX-112

1 - Mr. Theisen

From: Acting Director, FBI

MCT 5 65210

ALLEGED REMOVAL OF
U.S. SURVEY MARKS,
NAPLES, FLORIDA
ILLEGAL SALE AND
CONVERSION OF
FEDERAL LANDS
GEORGE C. MATTHEWS - COMPLAINANT
FAG,
OO: MM

Enclosed for Miami is one Xerox copy of a letter addressed to FBIHQ from George C. Matthews, 738 105th Avenue, North, Naples, Florida. Also enclosed is a Xerox copy of each of the enclosures received with Matthews' letter.

Miami note that press clippings of the "Collier Report" dated Tuesday, March 13, 1973, indicate he had filed with the suit in Judge William Mehrton's court an envelope containing copies of "confidential records of the FBI". Miami immediately review these documents and advise Bureau of results of this review.

Miami acknowledge receipt of letter from Mr. Matthews.

Enclosures (3)

JLT:pdb
(4)

Mr. Felt
Mr. Baker
Mr. Callahan
Mr. Cleveland
Mr. Conrad
Mr. Gebhardt
Mr. Jenkins
Mr. Marshall
Mr. Miller, E.S.
Mr. Soyars
Mr. Thompson
Mr. Walters
Tele. Room
Mr. Kinley
Mr. Armstrong
Mr. Bowers
Mr. Herington
Ms. Herwig
Mr. [illegible]
Mrs. Neenan

MAILED 6
MAR 1 1973
FBI

MAY 24 1973

MAIL ROOM TELETYPE UNIT

GEORGE C. MATTHEWS
NAPLES, FLORIDA 33940
597-5145

March 14, 1973

The Honorable L.Patrick Gray, Acting Director
Federal Bureau of Investigation
Washington, D.C. 20530

RE: ARMY PERMITS, COLLIER COUNTY, FLORIDA
Request for Investigation and
Determination of acts of felonious
nature, Personnel of Federal Agencies

Dear Mr. Gray:

This is a request for your inquiry into acts of military and civilian personnel of the South Atlantic Division and the Jacksonville District offices of the Corps of Engineers in both concert and collusion and joint acts that may constitute felonious conspiracy to conceal felonious acts and to defraud the United States Government of Public Domain. It appears from the evidence, documents and other sources that the military and civilian personnel of the Corps of Engineers may well be selling U.S. Public Domain by Army permits allegedly for illegal acts, in return for soft retirement jobs in the State of Florida Internal Improvement Trust Fund, the Department of Natural Resources and offices of well known land developers and speculators that have the right influence in the Governor's Office, with the Attorney General of Florida, and State Treasurer's office. It is also indicated by documentary evidence and factual evidence that such condition exists in the United States Attorney's office in Miami, and possibly elsewhere in Florida to a lesser degree.

EX-112 REC-13 65210 46-66269-3X

I have today delivered by hand to an agent of the Miami office of the F.B.I., and have previously delivered on very recent dates, documents and information from highly reputable sources and records, from which:-

16 MAR 22 1973

NO OTHER DETERMINATION CAN BE MADE,

NO OTHER CONCLUSION CAN BE REACHED,

NO OTHER INFERENCE CAN BE DRAWN, EXCEPT FELONIOUS ACTS including acts constituting a form of bribery has occurred, and parties being protected and concealed by other federal and state employees.

PERS. REC. UNIT

If I can verify information received concerning conduct of aides of Senator Gurney and Chiles and developers, I will formally request your inquiry into such.

Yours very truly

George C. Matthews

GCM:imm

Collier Report

SEC. B TUESDAY, MARCH 13, 1973 PAGE ONE

Matthews Suit Alleges 'Defamation'

News-Press Bureau

NAPLES — A suit charging 10 federal, state and Collier County officials with conspiracy in acquiring and using confidential FBI records to discredit him, was filed in the Dade County Federal Court Monday by George C. Matthews of North Naples.

Matthews' complaint names former County Commissioner Lester Whitaker Sr., Florida Lt. Gov. Tom Adams, Aides James W. Apthorp and Jay W. Landers, and General Counsel Edgar M. Dunn, and as their superior, Gov. Reubin O'D. Askew, Asst. U.S. Attorney Kenneth C. Oertel and U.S. Attorney Robert W. Rust, both of the Southern Florida Dit. Federal Court, and former U.S. Attorney General John N. Mitchell with the alleged acts, specifying the dates July 31, 1970 and April 21, 1971.

Matthews says he filed with the suit in Judge William Mehrton's court an envelope containing copies of "confidential records of the F.B.I." and adds the "records are a part of the subject matter of this cause."

Matthews charges that the defendants were involved variously on the dates specified in "maliciously, and with intent to injure" him in conspiring in the "acquisition of confidential records of investigative reports" of the FBI "for use in accomplishing said defamation."

Copies of the documents, Matthews charges "purporting to be (about) the plaintiff" actually "are impossible for identifying any person and bear five different names similar to the plaintiff."

Matthews says the documents were "to be used in overt acts" for defamation of his character, to discredit his credibility, to destroy his reputation, disprove him of medical benefits and income, "and for the purpose of retaliation against plaintiff for exposure and disclosure of illegal land developments and violations of" several numbered federal laws, "occurring in Township 4B S., Range 25 E. at Vanderbilt Beach and in Township 49 S., Range 25 E., in Park Shore subdivision" in Collier County.

Matthews says his actions had resulted in payment of fines and compensation to the United States of sums "in excess of $160,000" by the Florida Vanderbilt Corp., firms associated with them, and by the developers of Park Shore.

Matthews asks the court to restrain "except as a witness," in any case in which he is a party, the participation "of any person employed in the office of the U.S. Attorney."

Fort Myers (Fla.) News-Press
Saturday, March 3, 1973

Beaches Claimed As Parks

Federal land claims on all beachfront property through Collier, Lee and Charlotte Counties have been initiated by Naples conservationist George Matthews.

Matthews said Friday the claims and requests to purchase have been filed with the U.S. Department of the Interior for the Collier and Lee County property and the Charlotte claim is being prepared.

If his claims and requests to purchase the land "in the public interest" are approved, Matthews said, it would provide an estimated 150 miles of beachfront property, including some islands, for development as public parks.

After describing the property he is seeking as "trustee for the people," Matthews' letters continued:

"As to the submerged lands you are hereby requested to register and file this claim and application for such submerged lands identified as there are serious matters to arise concerning possible federal ownership of submerged lands in Southwest Florida that may require judicial determination of legislative acts."

Matthews said the state is "working toward getting first shot at submerged lands for the developers" and emphasized he will seek a court injunction against building permits or zoning on land outside the government survey until ownership is determined.

Matthews cited an 1856 act by the Florida Legislature giving title to submerged coastal property to the federal government and said the legislation has never been rescinded.

Matthews said his attempts to obtain the coastal lands for public parks have met constant opposition from state officials, and said he has not received an answer from

Collier Report

SEC. B FRIDAY, MARCH 9, 1973 PAGE ON

Fort Myers (Fla.) News-Press, Friday, March

Suit: State's Inaction Lost P

NAPLES — A Marco Island real estate dealer filed suit in circuit court Thursday, claiming various state and county governmental agencies denied claim to public land in 1965 and illegally allowed it to fall into private hands.

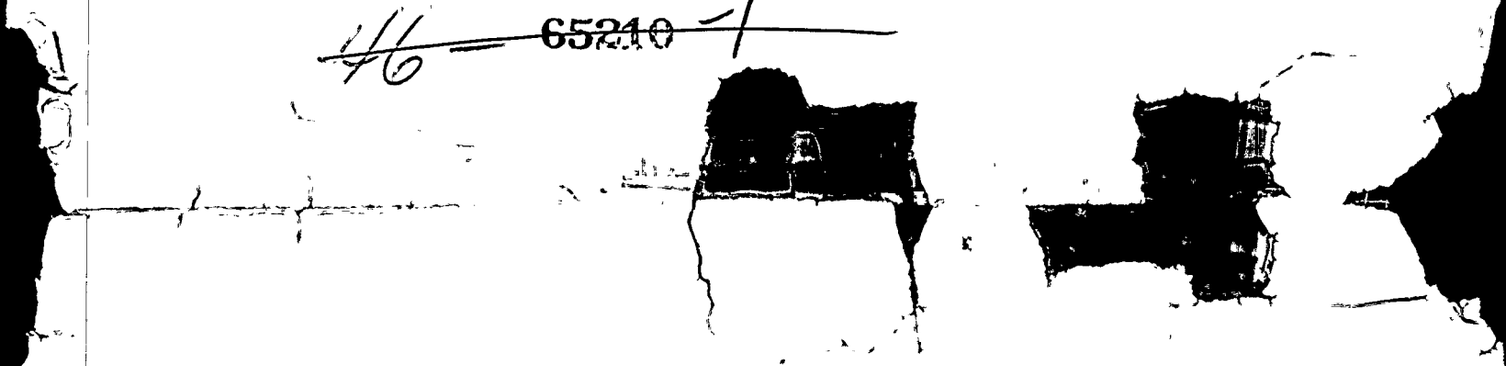
Realtor E. E. Bailey, "on his own behalf and in behalf of the citizens of Marco Island, Collier County and the State of Florida", filed suit against Walter Revell, secretary of transportation, E. Cliff Wenzel, county commission chairman, Joel Kuperberg, executive director of the Internal Improvement Fund, and Randolph Hodges, executive director for the Department of Natural Resources.

In the complaint attorney Hugh Sawyer, representing Bailey, said the Department of Transportation in 1965 Quit Claim Deed property at the end of Old State Road 92 and in doing so denied Florida residents "access and way to the public beaches."

The complaint also cited the Internal Improvement Fund, Department of Natural Resources and the Collier County Commission for violating its own laws and the laws of Florida by failing to prevent the Quit Claim there-

46-65269-3X

~~46 — 65210~~ -1



Southwest Florida Report

Fort Myers (Fla.) News-Press, Saturday, March 10, 1973

GEOR MATTHEWS
738- Ave., North
ida 33940

Matthews Names Nixon

$20,265,000 Suit Filed

By FRED WINTER
News-Press Bureau Chief

NAPLES — George C. Matthews of North Naples Friday filed a suit naming eight defendants, starting with President Richard M. Nixon, asking for a total of $20,265,000 in damages. The damages are $5,592,500 "actual" and $14,772,500 "punitive."

The civil suit, filed in the federal district court in Miami before Judge Joe Eaton, centers on Matthews' allegation of "criminal conversion of public domain in Townships 48 and 49 of Range 25."

Specifically those are the areas west of the interior waterway from Vanderbilt Beach Road up to the northern end of Delnor State Park.

Matthews says these lands are "actually islands and are part of public domain lands omitted from the U.S survey of 1874.

In addition to the President, included because he is the executive for others named in the suit, Matthews charges, Lane J. Bouman, the United States Chief of the Cadastral Survey (a branch of the Bureau of Land Management), the Collier County Board of County Commissioners, Joel Kuperberg, Executive Director of the Trustees of the Internal Improvement Trust Fund of Florida, and Frederick J. Clarke, Chief of the Army Corps of Engineers. They are the government defendants.

Private defendants are the Chicago Title Insurance Company of Illinois and Florida, the Collier Development Corp., and Ramada Inns, Inc.

Some of these defendants, Matthews says, "are involved because they have taken the word of professionals who have been trying to conceal their mistakes.

The suit charges that private surveys and resulting land transactions have occured in that strip of coastal lands. It says they have been illegal and have resulted in his deprivation — as a trustee for the people — "of the use and enjoyment, social and recreational benefits and pleasures of United States Government Land and of use of navigable waters, illegally alienated from use by the public."

The 31-page complaint, a new version of one of a dozen former suits dismissed earlier this year by the district court, lays out specific steps of involvement from the time of the 1874 government survey, through the succession of sales, including the Collier Corp. sale on the basis of a later private survey, to the present control by Ramada Inns in the Baker-Carroll Point subdivision and Ramada's obtaining a building permit this month from the county for a 100-plus unit motel on those lands.

Also involved in the lands under attack by Matthews, area strip of commercial and private structures and lots along the west side of the road parallel to the coast from Vanderbilt Beach Road north.

4-B Fort Myers (Fla.) News-Press, Wednesday, Feb. 28, 1973

Matthews Demands Probe By F.B.I.

Collier Article

A Federal Bureau of Investigation probe of the Lee and Collier county commissions involving federal land dealings has been demanded by George C. Matthews of Naples.

Matthews, an environmentalist who has filed numerous federal court suits involving Florida's coastal lands, also listed the Army Corps of Engineers office at Jacksonville in his investigation request, as well as a variety of county officials.

In a letter to FBI Director Patrick Gray, Matthews wrote:

"This is a formal complaint against the Lee County Board of County Commissioners . . . their director of public works and the head of their building and zoning department."

A similar complaint related to Collier County officials.

The Matthews letters said he had "hand delivered to an agent of the FBI documents indicative of and factual evidence of serious federal statute violations, constitutional violations of federal land provisions and acceptance and use of known false and erroneous survey map information purporting to be valid and authentic United States survey data.

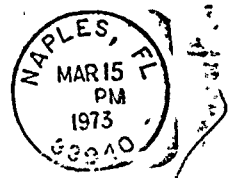
"Also involved is the illegal disposition of federal land and federal employes and agencies using federal funds."

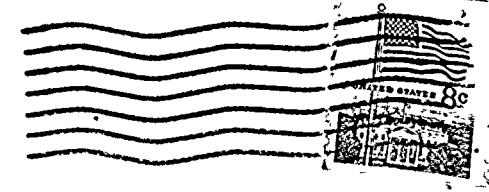
In another letter, to Gen. Creighton Abrams, Army chief of staff, Matthews said he has "furnished documentray evidence, and made other evidence available" to the FBI "showing serious land frauds against the United States Government . . ."

He said his complaints to the Corps of Engineers' chief, Lt. Gen. Frederick Clarke, and the Jacksonville office brought no results.

"I will, if you so desire," Matthews wrote, "discuss this matter and reveal facts, documentary evidence and the subject matter to any competent military officer not associated with the Jacksonville office of the Corps of Engineers."

GEORGE C. MATTHEWS
738-105th Ave., North
Naples, Florida 33940





The Honorable L. Patrick Gray, Acting Director
Federal Bureau of Investigation
Washington, D.C. 20530

FD-36 (Rev. 5-22-64)

FBI

Date: 3/20/73

Transmit the following in _____
(Type in plaintext or code)

Via AIRTEL _____
(Priority)

TO: ACTING DIRECTOR, FBI

FROM: SAC, MIAMI (46-4127) (P)

SUBJECT: ALLEGED REMOVAL OF U.S. SURVEY MARKS,
NAPLES, FLORIDA,
ILLEGAL SALE AND CONVERSION OF FEDERAL LANDS
GEORGE C. MATTHEWS - COMPLAINANT
FAG

(OO: MIAMI)

Re Miami airtel and LHM to Bureau, 2/14/73; Bureau airtel to Miami with enclosure, 3/2/73.

Enclosed for the Bureau are four copies of an LHM, dated and captioned as above, setting out results of re-interview with MATTHEWS and additional information furnished by him.

For the information of the Bureau and Tampa, in MATTHEWS letter to the Acting Director, dated 2/25/73, enclosure to referenced Bureau airtel, MATTHEWS made complaints involving individuals and land located in Lee County, which is in the Tampa Division.

REC-84 46-65269-4

In addition to two copies of current LHM, Tampa is being furnished with two copies of referenced airtel and LHM, dated 2/14/73, for background in the event that MATTHEWS pursues similar complaints involving individuals located within the Tampa Division.

16 MAR 22 1973

2 - Bureau (Enc. 4)
2 - Tampa (Enc. 6)
2 - Miami
WMD/taw
(6)

ENCLOSURE

58 MAR 27 1973

Approved: _____ Sent _____ M Per _____
Special Agent in Charge

APR 9 1973

☆U.S.Government Printing Office: 1972 — 455-574

Pursuant to Bureau instructions in referenced Bureau airtel, receipt of MATTHEWS letter of 2/25/73, was acknowledged and he was advised that the information contained therein would also be referred to the Office of the U.S. Attorney for an opinion as to possible prosecution.

Miami will maintain contact with the Office of the U.S. Attorney, Miami to determine what action is contemplated with regard to the MATTHEWS complaints.

UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

In Reply, Please Refer to File No. 46-4127

Miami, Florida
March 20, 1973

RE: ALLEGED REMOVAL OF U.S. SURVEY MARKS, NAPLES, FLORIDA, ILLEGAL SALE AND CONVERSION OF FEDERAL LANDS
GEORGE C. MATTHEWS - COMPLAINANT
FRAUD AGAINST THE GOVERNMENT

By letter to Acting Director L. PATRICK GRAY III, dated February 4, 1973, Mr. GEORGE C. MATTHEWS, 738 105th Avenue North, Naples, Florida, alleged that various violations involving the removal of U.S. Survey marks and the illegal sale and conversion of U.S. Government lands were occurring within Florida Townships 48 and 49 South, Range 25 East, which is located in Collier County, Florida. He also alleged that U.S. Government officials were knowingly participating or sanctioning or concealing these illegal acts.

Mr. MATTHEWS was interviewed on February 21, 1973, concerning the allegations made in this matter. He said that some of the allegations which he had included in his letter to the Acting Director of the FBI relate to matters concerning which he has previously filed civil suits in the U.S. District Court, Southern District of Florida, Miami, Florida. MATTHEWS stated, however, that none of these suits are currently active although the complaints which were dismissed without prejudice could be refiled.

Mr. MATTHEWS advised that, in brief, his contention is that the U.S. Government Survey carried out in 1874 omitted much of the out-lying land along the West Coast of Collier County, Florida and that under the common and statutory law any land outside or beyond the point where the survey stopped is public land belonging to the U.S. Government. In addition, the Florida legislature in 1856 passed a law relinquishing any claim to such land and deeding it to the U.S. Government.

ENCLOSURE

46-65269-4
~~46-0-5382~~

RE: ALLEGED REMOVAL OF U.S. SURVEY
MARKS, NAPLES, FLORIDA
ET AL

Currently this land is being expropriated by various land developers in Collier County by merely extending U.S. Government Survey traverse lines from where they actually stopped on the official U.S. Survey map to the Gulf of Mexico.

MATTHEWS furnished a copy of a letter from Mr. LANE J. BOUMAN, Chief, Branch of Cadastral Survey, Bureau of Land Management, U.S. Department of the Interior, which sets out BOUMAN's opinion concerning land similarly situated in Lee County, Florida, which is located on the north boundary of Collier County. MATTHEWS states that the same conclusion would have to apply to the land in question located in Collier County, Florida, Townships 48 and 49 South, Range 25 East. A copy of Mr. BOUMAN's letter, dated September 7, 1972, as furnished by MATTHEWS, follows:

RE: ALLEGED REMOVAL OF U.S. SURVEY
MARKS, NAPLES, FLORIDA
ET AL

With regard to specific locations in which he believes violations are occurring, MATTHEWS listed the following:

1. Township 48 South, Range 25 East, Little Hickory Pass - the General Acceptance Corporation, a land development organization, filled this pass which is a navigable inlet over which the Corps of Engineers has jurisdiction. No permit for such filling was obtained. MATTHEWS said he advised former Assistant U.S. Attorney (AUSA) KENNETH G. OERTEL, Miami, as well as the Corps of Engineers, but no action was taken by either party.

2. Cocohatchee River at bridge on State Road 865 - this involves land to the west of the point at which State Road 865 terminates, which point of termination is in conformity with U.S. Government Survey. Land to the west was illegally filled without a permit and is being converted to private use.

3. Baker Carroll Point Unit #1, Vanderbilt Beach - consisting of illegally filled submerged land belonging to the Federal Government which has been converted to private property. This was accomplished by false surveys on the part of the Tri County Engineering Company of Naples, who furnished false elevations to the U.S. Army Corps of Engineers and changed or moved U.S. Survey monuments on their survey. MATTHEWS furnished a xerox copy of a letter from Mr. JOHN DU BOSE, State of Florida Board of Trustees of the Internal Improvement Trust Fund, dated December 21, 1970, supporting this contention, which is attached, along with a map of Baker Carroll Point.

STATE OF FLORIDA

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

ELLIOT BUILDING — TALLAHASSEE, FLORIDA 32304

JAMES W. APTHORP
EXECUTIVE DIRECTOR

TELEPHONE 224-2101

December 21, 1970

Mr. George C. Matthews
722 109 Avenue North
Naples, Florida 33940

Dear Mr. Matthews:

Sections 5, 6, 7, 8, 17,
and 20, Township 48 South,
Range 25 East, 1959, Survey,
Collier County

This survey has not been recognized by the Trustees, since some of the section lines are not in accordance with the Government Land Office survey.

Sincerely,

John DuBose, Director
Field Operations Division

JD/bs

Claude R. Kirk, Jr.
Governor

Tom Adams
Secretary of State

Earl Faircloth
Attorney General

Fred O. Dickinson, Jr.
Comptroller

Broward Williams

Floyd T. Christian

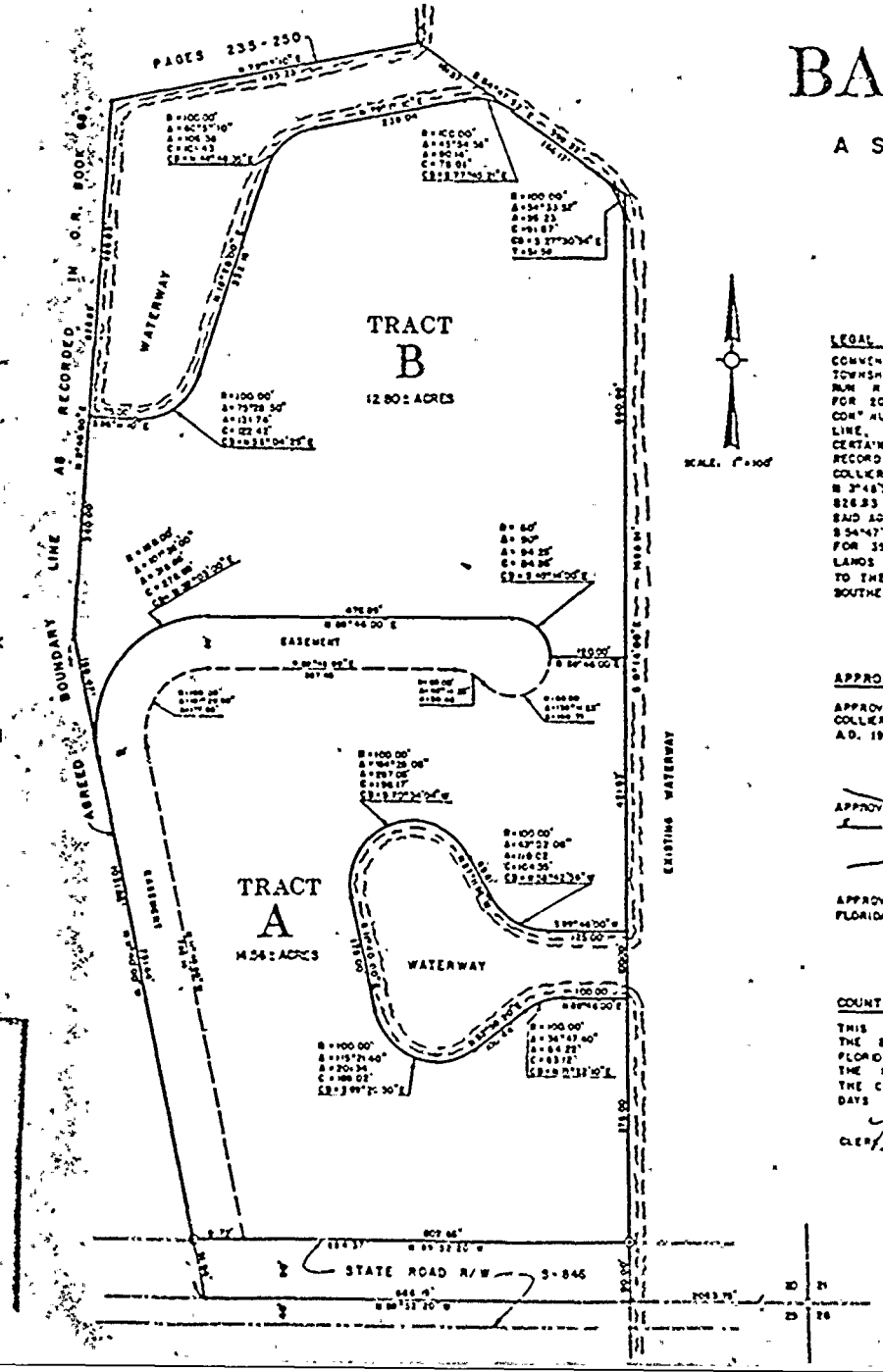
PLAT BOOK 6 PAGE

BAKER-CARROLL POINT

A SUBDIVISION IN SECTION 20, TOWNSHIP 48 S., RANGE 25 E.,
COLLIER COUNTY FLORIDA

SCALE IN FEET

PREPARED BY: TRI-COUNTY ENGINEERING, INC.
CIVIL & STRUCTURAL ENGINEERS,
LAND PLANNERS & SURVEYRS
NAPLES, FLORIDA JAN 1968
JOB NO 1612



LEGAL DESCRIPTION

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 20, TOWNSHIP 48 SOUTH, RANGE 25 EAST, COLLIER COUNTY, FLORIDA, RUN N 89°52'20" W, ALONG THE SOUTH LINE OF SAID SECTION 20, FOR 2053.75 FEET, TO THE POINT OF BEGINNING, THENCE CONTINUE TO RUN N 89°52'20" W STILL ALONG SAID SECTION LINE, FOR 646.15 FEET, THENCE RUN N 11°40'00" W, ALONG A CERTAIN AGREED BOUNDARY LINE AS RECORDED IN OFFICAL RECORD BOOK 68, PAGE 235-250, PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA, FOR 1031.85 FEET, THENCE RUN N 3°48'50" E, STILL ALONG SAID AGREED BOUNDARY LINE, FOR 826.83 FEET, THENCE RUN N 79°17'10" E, STILL ALONG SAID AGREED BOUNDARY LINE, FOR 695.23 FEET, THENCE RUN S 54°47'52" E, THROUGH LANDS OF DOUGHERTY OVERSEAS, INC., FOR 399.32 FEET, THENCE RUN S 0°14'00" E, STILL THROUGH LANDS OF DOUGHERTY OVERSEAS, INC., FOR 1656.91 FEET, TO THE POINT OF BEGINNING, LESS AND EXCEPT THE SOUTHERLY 90 FEET THEREOF FOR HIGHWAY PURPOSES.

APPROVALS

APPROVED BY THE COLLIER COUNTY PLANNING COMMISSION, COLLIER COUNTY, FLORIDA, THIS 5TH DAY OF June A.D. 1968.

EXEC SECRETARY Carl A Rommel

APPROVED BY THE COUNTY HEALTH DEPARTMENT ON THIS 6 DAY OF Nov A.D. 1968

COUNTY SANITARIAN

APPROVED BY THE COUNTY ENGINEER OF COLLIER COUNTY, FLORIDA, THIS 5TH DAY OF March A.D. 1968

COUNTY ENGINEER

COUNTY COMMISSION APPROVAL

THIS PLAT APPROVED IN REGULAR OPEN MEETING OF THE BOARD OF COUNTY COMMISSIONERS OF COLLIER COUNTY, FLORIDA, THIS 5TH DAY OF June A.D. 1968 PROVIDED THAT THE PLAT IS FILED IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT OF COLLIER COUNTY FLORIDA, WITHIN 90 DAYS FROM THE DATE OF THIS APPROVAL

CLERK Ranger L Hunt CHAIRMAN

SURVEYOR'S NOTES

●. DENOTES PERMANENT REFERENCE MONUMENT

BASIS OF SURVEY IS FROM CARL E JOHNSON SURVEY DATED NOV 1959 REV SEPT 24, 1960

DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT DOUGHERTY OVERSEAS, INC., OWNER OF THE HEREIN DESCRIBED LANDS, BY ITS PRESIDENT, A.L. DOUGHERTY, AND SECRETARY, CHARLOTTE K. DOUGHERTY, HAS CAUSED THE MADE THIS PLAT ENTITLED "BAKER-CARROLL POINT" AND DOES HEREBY DEDICATE THE WATERWAYS AS SHOWN ON THE ATTACHED PLAT TO THE PERPETUAL USE OF THE PUBLIC FOR PROPER PURPOSES AND USES THEREON SHOWN.

IN WITNESS WHEREOF, THE SAID OWNER HAS CAUSED THESE PRESENTS TO BE SIGNED THIS 8TH DAY OF February A.D. 1968

DOUGHERTY OVERSEAS, INC.

WITNESS Barbara Yeago BY A L Dougherty
A.L. DOUGHERTY, PRESIDENT

WITNESS Elizabeth Clemens ATTEST Charlotte K. Dougherty
CHARLOTTE K. DOUGHERTY, SECRETARY

ACKNOWLEDGEMENT

STATE OF FLORIDA
COUNTY OF COLLIER SS

I HEREBY CERTIFY THAT ON THIS DAY PERSONALLY APPEARED BEFORE ME A.L. DOUGHERTY, PRESIDENT, AND CHARLOTTE K. DOUGHERTY SECRETARY, OFFICERS OF DOUGHERTY OVERSEAS, INC., TO ME WELL KNOWN TO BE THE PERSONS DESCRIBED IN AND WHO EXECUTED THE FOREGOING DEDICATION, AND WHO ACKNOWLEDGED THE EXECUTION THEREOF TO BE THEIR OWN FREE ACT AND DEED AS SUCH OFFICERS AND THAT THEY AFFIXED THERETO THE OFFICIAL SEAL OF SAID CORPORATION, AND THAT INSTRUMENT IS THE ACT AND DEED OF SAID CORPORATION

WITNESS MY HAND AND OFFICIAL SEAL AT Naples COUNTY OF Collier, STATE OF Florida, THIS 8TH DAY OF February A.D. 1968

MY COMMISSION EXPIRES July 15, 1969

NOTARY PUBLIC, STATE OF Florida AT LARGE

SURVEYOR'S CERTIFICATE

I PAUL T O'HARGAN THE SURVEYOR MAKING THIS PLAT DO HEREBY CERTIFY THAT THIS IS A TRUE AND CORRECT REPRESENTATION OF THE LANDS PLATTED TO THE BEST OF MY KNOWLEDGE AND BELIEF AND THAT PERMANENT REFERENCE MONUMENTS HAVE BEEN PLACED IN ACCORDANCE WITH CHAPTER 177.091, FLORIDA STATUTES

TRI-COUNTY ENGINEERING, INC BY
PAUL T O'HARGAN
FLA REG SURV NO 1936

FILING RECORD

I HEREBY CERTIFY THAT THIS PLAT WAS RECEIVED BY ME AND THAT IT COMPLIES IN FORM WITH THE REQUIREMENTS OF CHAPTER 177 FLORIDA STATUTES AND THAT SAME WAS FILED FOR RECORD AT 11:00 A.M. THIS 5TH DAY OF June A.D. 1968 AND RECORDED IN PLAT BOOK 6 PAGE 1 OF THE PUBLIC RECORDS OF COLLIER COUNTY FLORIDA.

CLERK OF THE CIRCUIT COURT

RE: ALLEGED REMOVAL OF U.S. SURVEY
MARKS, NAPLES, FLORIDA
ET AL

MATTHEWS also furnished information that two Naples attorneys, GEORGE VEGA and G. E. CARROLL, represent the principal land developers, and personally claim a lot in the same area, which lot is located outside the meander line and as such is U.S. Government property, which has never been conveyed. They also claimed the lot stretches to the waters of the Gulf of Mexico. The lot which they claim is located in Section 16, whereas the land approaching the beach and waters of the Gulf of Mexico is located in Section 17. The lot was enlarged by merely extending traverse lines out to the water by means of their own survey which in no way conforms to the U.S. Government Survey. MATTHEWS provided a copy of a letter and map from Mr. LANE J. BOUMAN, dated September 24, 1971, which he said supports his contention and which are attached:

4. Wiggins Pass Landing #1, located opposite Baker Carroll Point Unit 1 - involves the destruction of 240 acres of mangroves which are located below mean high water level at Vanderbilt Beach between State Road 846 and State Road 865. This was filled by the Florida Vanderbilt Development Corporation, was navigable water and was done without a permit.

5. Baker Carroll Point Unit #2 - this involves lands located on the south side of State Road 846 at Vanderbilt Beach and was illegally filled and converted Federal land. This is another instance in which a false survey was made changing U.S. Survey monuments in order to convert Government land to private use. In addition, the developers secured an "after the fact permit" from the Corps of Engineers based on false information and the Corps of Engineers cooperated by issuing the "after the fact permit" as an original permit.

6. Vanderbilt Beach - Wiggins Pass State Park, also known as Delnor State Park - this illegal conversion involved the developers obtaining a loan of $246,280 from the Housing and Urban Development Agency of the U.S. Government to purchase submerged lands which in reality already belonged to the State and Federal Government.

7. Township 49 South, Range 25 East, Seagate Sub-Division, Section 16 - this is another instance involving the falsification in a new survey of the U.S. Government Survey. The developers illegally filled land, obstructing and blocking a navigable waterway, resulting in the denial to the public of access to Federal lands.

8. Park Shores, Inc. Subdivision - Ray Lutgert, Inc., Section 16 and 21 - this involves dredging and filling navigable waterways without permits, and the conversion of the lands to private use, through the use of

false and erroneous survey information reporting to be valid U.S. Government Survey information.

MATTHEWS noted that the U.S. Attorney's Office in Miami did prosecute LUTGERT as a result of a suit filed by MATTHEWS for six million dollars. He said that then AUSA KENNETH G. OERTEL, through the use of a false stipulation, settled the suit for $150,000 and LUTGERT then proceeded to continue his illegal dredging and filling activities which he is doing to this day.

With regard to paragraph two of his letter to the Acting Director of the FBI, dated February 4, 1973, MATTHEWS said that the U.S. Officers, to whom he was referring knowingly participated with private parties in these illegal acts include Mr. GAIL G. GREN, Chief, Operations Division, U.S. Army Corps of Engineers, Jacksonville, Florida, who accepted false survey information furnished by Tri County Engineering, Naples, Florida, and claimed after the fact permits drawn as original permits for dredging and filling of land some of which belongs to the U.S. Government. In support of this contention, MATTHEWS furnished a letter from A. L. MC KNIGHT of the Jacksonville District, Corps of Engineers, dated December 15, 1970, which is attached.

RE: ALLEGED REMOVAL OF U.S. SURVEY
MARKS, NAPLES, FLORIDA
ET AL

MATTHEWS said that he was also referring to U.S. Attorney ROBERT W. RUST of Miami, since all of the violations of which MATTHEWS is aware have been referred to the U.S. Attorney in Miami and no action was taken with two exceptions. MATTHEWS said that even when the U.S. Attorney's Office took action in two instances, after the payment of fines, the developers resumed their illegal conversion of Federal land.

By letter dated February 25, 1973, to the Acting Director of the FBI, MATTHEWS made a complaint alleging illegal activity involving individuals and land located in Lee County, Florida. A copy of this letter is attached.

GEORGE C. MATTHEWS
NAPLES, FLORIDA 33940
597-5145

February 25, 1973

The Honorable Patrick L. Gray, Director
Federal Bureau of Investigation
Washington, D.C. 20535

Re: Board of County Commissioners of Lee County, Fla.
Director of Public Works &Bldg. & Zoning Dept
Private Surveys and Federal Lands

Dear Director Gray:

I have hand delivered to an agent of the F.B.I. documents indicative of and factural evidence of serious federal statue violations, constitutional violations of federal land provisions and acceptance and use of known false and erroneous survey map information purporting to be valid and authentic United States Survey data. Also involved is the illegal disposition of Federal land and Federal employees and agencies using federal funds.

This is a formal complaint against the Lee County Board of County Commissioners, in Lee County, Florida and their Director of Public Works and head of their Building and Zoning department, for the above acts and the request for your investigation in their knowingly using erroneous private surveys and acting in concert with State officers and private agents in matters directly affecting Federal Domain since 1962 and especially federal lands between the Lee County line to Estero Island, Estero Bay and the Bonita Beach Causeway and the use of Federal funds for purchase of right of way and construction of bridges and roads on lands already owned by the federal government and the State of Florida.

Available to your agents are in excess of ten years files and records on illegal coastal land deals with altered U. S. survey maps and records from one source and three years records of such in another file, plus a number of reliable and competent witnesses who are deeply concerned as to illegal acts taking place in southwest Florida.

Examination of Title 28 U.S.C. reveals apparent sufficient F.B.I. jurisdiction when related to the acts complained of in Lee County and Tallahassee, Florida as well as Jacksonville, Florida.

Your acknowledgement will be appreciated.

Yours very truly

George C. Matthews

GCM:imm

CC: The White House
The Governor of Florida
Senator Jennings Randolph
Senator Henry Jackson

RE: ALLEGED REMOVAL OF U.S. SURVEY
MARKS, NAPLES, FLORIDA
ET AL

On March 14, 1973, Mr. MATTHEWS was recontacted at his request and he furnished a xerox copy of a petition directed to the U.S. District Court, Southern District of Florida, Civil Case No. 73-428, "Petition for Restraint of Illegal Use of FBI Records," which was filed March 12, 1973. This petition is self-explanatory and a copy is attached. Mr. MATTHEWS said that the FBI record to which he is referring was an FBI Identification Record concerning one GEORGE C. MATTHEWS, FBI number 398 803 B, a copy of which he had previously furnished.

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF FLORIDA

CIVIL CASE NO. 73-428-Civ-WMH

GEORGE C. MATTHEWS, AS CITIZENS, AS TRUSTEE AND AS TAXPAYER

Plaintiff

vs.

JOHN N. MITCHELL, as Attorney General of the United States and Chief Executive of the U.S. Department of Justice on July 31, 1970 and April 21, 1971

and

ROBERT W. RUST, as an Individual, and as United States Attorney, Southern District of Florida

and

KENNETH C. OERTEL, as an Individual, and as Assistant United States Attorney of the Southern District of Florida on April 21, 1971

and

REUBEN O'D. ASKEW, Governor of Florida and RESPONDEAT SUPERIOR, for appointed aides James W. Apthorp, Chief Administrative Aide; Jay W. Landers; Edgar M. Dunn, Jr., General Counsel

and

ROBERT L. SHEVIN, Attorney General of the State of Florida

and

TOM ADAMS, Lt. Governor of the State of Florida

and

LESTER WHITAKER, SR., as Chairman of the Board of County Commissioners of Collier County, Florida on July 31, 1970 and April 21, 1971.

Defendants

PETITION FOR RESTRAINT OF ILLEGAL

FILED
MAR 12 10 42 AM '73
JOSEPH I. DUGART
CLERK U.S. DIST. CT.
SOUTHERN DIST. OF FLA.
MIAMI, FLA.

F.B.I.

RECORDS

-18-

PETITION and COMPLAINT

THIS IS AN ACTION FOR RELIEF FROM ACTS OF DEFENDANTS, FOR RESTRAINT AND ENJOINMENT OF USE OF CONFIDENTIAL FEDERAL BUREAU OF INVESTIGATION RECORDS OBTAINED IN AN ILLEGAL AND UNLAWFUL CONSPIRACY, UNDER FALSE PRETENSES AND FOR THE PURPOSES OF CONCEALING THE ILLEGAL TAKING AND CONVERSION OF PUBLIC DOMAIN BY FRIENDS OF DEFENDANTS, AND TO DEFAME AND LIBEL PLAINTIFF BY USE OF RECORDS OF UNKNOWN IDENTITIES.

Attached to this complaint in a sealed envelope are copies of Confidential Records of the F.B.I., obtained by plaintiff and hand delivered to an agent of the F.B.I. with circumstances of acquistion. Said records are a part of the subject matter of this cause and plaintiff submits such records to the United States District Judge for his discretion and wisdom in their use in this cause.

The Federal Bureau of Investigation ought to join as co-plaintiff in this action but are forbidden by statute.

Plaintiff complaining of the defendants alleges,

1. Plaintiff is now, and at all times herein mentioned, is and has been a citizen of the United States and resident of Collier County (Naples) Florida, known and reputed to be a good citizen, a person of integrity, sobriety and good moral character.

2. Plaintiff herewith reserves, without waiver of any and all rights, privileges and immunities to which he is entitled, to bring action at a later date, against defendants, and all co-conspirators and other parties to the acts complained of herein, for

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civil liabilities and damages sustained thereof, in law or in equity, to which plaintiff is or may be entitled.

3. Defendants are sued as identified in the title and subject to the jurisdiction of this court.

4. This action arises under the Constitution of the United States, Amendments I, IV, V, VII, IX and XIV (1), and under Title 28, Chapter 31 U.S.C. 532, 533 and 534, and the English Common Law.

5. The jurisdiction of this court is founded in toto upon Federal questions arising under the Constitution of the United States and acts in violation of Title 28, U.S.C. 532, 533 and 534.

6. For convenience of the Court the following ruling is set forth "All investigative reports of the Department of Justice are confidential documents of the Executive Department and Congressional or public access thereto would not be in the public interest." (1941 40 OAF 45).

7. Plaintiff is a conservationist and a known advocate and supporter of integrity in government, and engaged in efforts to stop the use of false and erroneous survey maps and information purported to be valid United States Cadastral Survey map information by landholders, developers and speculators in illegal and criminal conversion of Public Domain and illegal dredge and fill in navigable waters of Collier County, Florida.

8. The efforts of plaintiff have caused to be produced in penal fines and compensation to the United States a sum in excess of $160,000.00 from the firm of Florida Vanderbilt Development Corporation, Tri-County Engineering, Inc., Raymond Lugert, Inc. among others, and numerous termination of violations of Title 33 U.S.C. 401-403-407.

9. On or about July 31, 1970, and April 1, 1971 and April 21, 1971, defendants, each of them, in the District of Columbia and in the State of Florida, maliciously and with intent to injure plaintiff, conspired together and entered into an unwritten agreement with each other and conspired with parties not defendant hereto, in the agreement with the purpose and intent of defamation of plaintiff, and the acquisition of Confidential Records of Investigative Reports of the Federal Bureau of Investigation for use in accomplishing said defamation.

As a result of each of the defendants' acts the reports obtained were to be used in overt acts against plaintiff for defamation of plaintiff's character, to discredit plaintiff's credibility, to destroy plaintiff's reputation, to deprive plaintiff of medical benefits and income, and for the purpose of retaliation against plaintiff for exposure and disclosure of illegal land developments and violations of Title 33 U.S.C. 401-403-407, and Title 43 U.S.C. Chapter 1, occurring in T. 48 S, Range 25 E, at Vanderbilt Beach and in T. 49 S., Range 25 E., in Park Shores, Inc. subdivision, all in Collier County, Florida.

10. Defendants, each of them, in furtherance of said conspiracy obtained with special malice, under false pretenses and acting maliciously under color of law, under color of authority of their office, in gross excess of each defendant's statutory authority, and in violation of law, and in violation of Title 28 U.S. C. 532, 533 and 534, from the files of the F. B. I., the records hattached hereto, on or about August 1, 1970 and again on April 21, 1971, the documents attached hereto in the sealed envelope, purporting to be the plaintiff as identified in said documents, without any evidence of identity of plaintiff and names thereon being the same person.

11. Said documents are impossible for identifying any person and bear five different names similar to plaintiff.

12. The reports show on their face as being and reproduced, and altered.

13. Defendants, each of them, with intent and without probable cause, in unlawful conspiracy to accomplish an unlawful act, and to conceal criminal acts against the United States Government, and to injure and defame plaintiff and for the use of said information in civil proceedings of plaintiff in this court, did utter, and publish the information on said F.B.I. documents attached showing the five separate names thereon, and did purport same to be that of plaintiff.

14. Defendants, each of them, using the United States Mails have caused to be and have furnished copies of the reports to daily news media, broadcast companies using federal licensed

airwaves, to Time Magazine, to the National Broadcasting Company, to judicial officers of the 20th Judicial Circuit of the State of Florida, to the Liberty Mutual Insurance Company and its adjustors, to the attorneys for said Liberty Mutual Insurance Company and to Cabinet Officers of the State of Florida, to numerous other parties having interests in illegal dredging operations and financial interests in Collier County, and to the Corps of Engineers of the Department of the Army.

15. Defendants, each of them, in participation of the hereinabove complained of conspiracies have acted maliciously and with special malice toward plaintiff with the intent to destroy the reputation of the plaintiff in acts of revenge and in vindictive retaliation for disclosure and publication of crimes against the United States Public Lands and in navigable waters through the use of illegally acquired Confidential Federal Records.

WHEREFORE, the defendants have defamed and stigmatized the plaintiff and the security of Federal Bureau of Investigation records and are using same to accomplish an illegal act whereby the most respected, efficient organization, and one possessed of the highest integrity and respect throughout the world, is being subjected to unfavorable and undeserved reflection of public confidence.

PLAINTIFF prays the Court for inclusion by notice of the F.B. I. as an interested party in this cause, and

WHEREFORE, the plaintiff continues to be subjected to the acts of the defendants and the results thereof of the acts complained of, plaintiff prays the Court for its judgment in the

nature of a restraining order, and injunction or a writ of similar nature, barring the appearance, except as a witness, and forbidding the participation of the defendants as counsel in any legal proceeding in the Southern District Court of the United States District Court, in which the plaintiff is a party, and for its order restraining any person employed in the Office of the U.S. Attorney from the participation in said proceedings as counsel in which this plaintiff is a party, or concerns the plaintiff.

Plaintiff further prays the Court for judgment granting costs of this action, and leave of subsequent actions for damages in order resulting from defendants acts.

George C. Matthews, Plaintiff
pro se

3/8/73

GEORGE C. MATTHEWS
738-105th Ave., North
Naples, Florida 33940

RE: ALLEGED REMOVAL OF U.S. SURVEY
MARKS, NAPLES, FLORIDA
ET AL

On March 15, 1973, U.S. Attorney ROBERT W. RUST advised that he had received a copy of the previously mentioned petition filed by MATTHEWS on March 12, 1973. Mr. RUST stated that he did not contemplate taking any action with regard to any of the civil suits filed by MATTHEWS in view of the fact that he himself has been named in some as a co-defendant including the last mentioned petition. He said that he plans to refer the entire matter involving the allegations of MATTHEWS to the Lands and Resources Division and to the Criminal Division of the Department of Justice.

A copy of this memorandum is being furnished to the U.S. Attorney's Office, Miami, Florida.

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.